

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on April 6, 2010.

Mayor Cline presided and called the meeting to order at 6:31 p.m.

Mayor Cline led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Tim Gover, YEA Commissioner Rick Hall, YEA Commissioner Chris Rankin, YEA Mayor David Cline.

Also physically present were City personnel: City Administrator Sue McLaughlin, Acting Attorney Janett Winter-Black, Police Chief David Griffith, Public Works Director David Wortman, Water Treatment Plant Superintendent Jim Lang, Fire Chief Tony Nichols, Community Development Coordinator Kyle Gill, and City Clerk Susan O'Brien.

Mayor Cline seconded by Commissioner Hall moved to approve the consent agenda consisting of minutes of the regular meeting March 16, 2010 and special meeting March 26, 2010, Fire & Police Pension reports, bills for last half of March and payroll last half of March and first of April, 2010.

**Bills for last of March and**

**Payroll for the last of March and first of April, 2010**

**General Fund**

|         |    |                  |
|---------|----|------------------|
| Payroll | \$ | 476,490.22       |
| Bills   | \$ | <u>70,025.64</u> |
| Total   | \$ | 546,515.86       |

**Hotel Tax Fund**

|         |    |               |
|---------|----|---------------|
| Payroll | \$ | 3,783.80      |
| Bills   | \$ | <u>179.31</u> |
| Total   | \$ | 3,963.11      |

**Festival Management**

|       |    |                  |
|-------|----|------------------|
| Bills | \$ | <u>20,258.35</u> |
| Total | \$ | 20,258.35        |

**Broadway East Bus Dist**

|       |    |               |
|-------|----|---------------|
| Bills | \$ | <u>428.00</u> |
| Total | \$ | 428.00        |

**Capital Project Fund**

|       |    |                  |
|-------|----|------------------|
| Bills | \$ | <u>35,303.83</u> |
| Total | \$ | 35,303.83        |

**Water Fund**

|         |    |                  |
|---------|----|------------------|
| Payroll | \$ | 57,704.72        |
| Bills   | \$ | <u>53,182.73</u> |
| Total   | \$ | 110,887.45       |

**Sewer Fund**

|         |    |                  |
|---------|----|------------------|
| Payroll | \$ | 69,209.42        |
| Bills   | \$ | <u>54,735.46</u> |
| Total   | \$ | 123,944.88       |

**Cemetery Fund**

|         |    |               |
|---------|----|---------------|
| Payroll | \$ | 6,363.30      |
| Bills   | \$ | <u>339.48</u> |
| Total   | \$ | 6,702.78      |

## **Health Insurance**

|       |       |    |            |
|-------|-------|----|------------|
| Bills |       | \$ | 123,649.31 |
|       | Total | \$ | 123,649.31 |

Mayor Cline opened the floor for comments with no responders.

Mayor Cline declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Ervin recognized David Warrem for his more than 26 years of service with the City.

Mayor Cline opened the floor for public comments/presentations and non-agenda items. Police Captain Greg Voudrie voiced his opinion on the termination of two patrol officers, explained the personal side of Council's action, and urged the Council to reconsider the reinstatement of Ryan Koop. Sgt. Ron Batman, union president, reviewed the Council's reasons for cutting the officers, and expressed reasons for retaining the officers. Mr. Steve Thomas, Shift Supervisor for Mitchell-Jerdan Ambulance Service, voiced his opinion against terminating the officers and requested the Council to reconsider. Cinda Moran voiced her opinion against terminating the officers and urged Council to cut elsewhere.

Commissioner Hall seconded by Commissioner Ervin moved to adopt Ordinance 2010-5288, amending Section 34.52 of the Mattoon Code of Ordinances to reference fees contained in Section 35.01 "Fees and Charges".

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### **CITY OF MATTOON, ILLINOIS ORDINANCE NO. 2010-5288**

#### **AN ORDINANCE TO AMEND 34.52 "FIRE PROTECTION SERVICES OUTSIDE CORPORATE LIMITS"**

**WHEREAS**, the Mattoon Fire Department desires to consolidate and raise various fees now contained in the Code of Ordinances.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mattoon as follows:

**Section 1. Recitals.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** The following article of the City of Mattoon municipal code is amended as follows:

#### **§34.52 FIRE PROTECTION SERVICES OUTSIDE CORPORATE LIMITS.**

(A) All fire and rescue services provided by the Fire Department to or for the benefit of non-residents of the city shall be provided only upon the condition that reasonable fees for such services be assessed to such non-residents.

(B) Charges for fire and rescue services shall be assessed at rates specified in Section 35.01 (D)(1).

- ~~— (1) \$125 per hour for each Fire Department fire truck or rescue truck.~~
- ~~— (2) \$35 per hour for each Fire Department employee dispatched for such services.~~
- ~~— (3) All hourly charges shall be rounded to the nearest ¼ hour with the time calculated from the time that the trucks and fire fighters are dispatched from the fire station until the trucks and fire fighters return to the fire station.~~
- ~~— (4) Minimum charges of \$400 shall be assessed for all motor vehicle collisions.~~
- ~~— (5) Minimum of \$250 is assessed for all motor vehicle fires not incidental to a motor vehicle collision.~~
- ~~— (6) All charges shall be due 30 days from the date of the statement, with 1½% per month late penalty to be charged and collected.~~

~~(C) Billing procedures for fees to be assessed pursuant to this section shall be the responsibility of the office of the City Clerk.~~

~~(D) Statements for services assessed under this section shall be billed directly to the property owner, with a copy to any casualty or fire insurance company identified as providing appropriate coverage's to the property owner.~~

~~(E) All funds collected pursuant to the provisions of this section shall be paid into the general fund of the city.~~

**Section 3. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.**

**Section 4. This ordinance shall be effective upon its approval as provided by law.**

Upon motion by Commissioner Hall, seconded by Commissioner Ervin, adopted this 6th day of April, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,  
Commissioner Hall, Commissioner Rankin,  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 6th day of April, 2010.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney & Treasurer

Recorded in the Municipality's Records on April 7, 2010.

Mayor Cline opened the floor for comments or questions from the Council and Public with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Gover moved to adopt Ordinance 2010-5289, amending Section 34.55 of the Mattoon Code of Ordinances to reference fees contained in Section 35.01 "Fees and Charges".

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**CITY OF MATTOON, ILLINOIS**  
**ORDINANCE NO. 2010-5289**

**AN ORDINANCE TO AMEND 34.55 "MUNICIPAL AMBULANCE; EMERGENCY RESCUE SERVICE**  
**CHARGES"**

**WHEREAS**, the City of Mattoon desires to consolidate the fees contained in the Code of Ordinance into one part of such code.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mattoon as follows:

**Section 1. Recitals.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** The following article of the City of Mattoon municipal code is amended as follows:

**§ 34.55 MUNICIPAL AMBULANCE SERVICE; EMERGENCY RESCUE SERVICE CHARGES.**

- (A) The management and administration of ambulance services is hereby assigned to the Fire Department.
- (B) The Fire Department, through appropriately trained personnel, is hereby authorized to operate and maintain an emergency vehicle for Emergency Basic Life Support Rescue Transport Services.
- (C) The Fire Department shall provide Emergency Basic Life Support Ambulance Rescue Services.

(D) For Emergency Basic Life Support Rescue Transport Services, which consists of transport from the scene of an incident to Sarah Bush Lincoln Health Center Emergency Room, the following charges shall be paid by persons benefitting from those services. These charges shall be assessed at rates specified in Section 35.01(D)(2).

~~(1) Residents of the city shall pay \$230 plus \$9.63 per mile from the scene to hospital emergency room.~~

~~(2) Non-residents of the city shall pay \$437 plus \$9.63 per mile from the scene to hospital emergency room.~~

~~(3) Disposable medical supplies used in patient treatment by the municipal ambulance service shall be charged to the patient(s) on a current cost basis as shall be determined by the Fire Chief.~~

~~(4) The fee for non-emergency standby service to any commercial enterprise shall be \$75 per hour with the exception of special events authorized by the City Administration or the Fire Department and Mattoon Community Unit #2 sporting events.~~

~~(5) Ambulance fees shall be evaluated on an annual basis and adjusted if deemed necessary by the city.~~

(E) The Fire Department, with the advice and consent of the City Treasurer, shall establish billing practices and procedures; develop appropriate internal forms for the administration of the billing system; maintain a system of accounts receivable; render statements for services provided; and, administer the collection of unpaid accounts.

(F) It is the intention of the City Council that all of the services provided under the authority of this section be deemed "rescue" services as provided in ILCS Ch. 745, Act 10, § 5-101, which states: "Neither a local public entity nor a public employee is liable for failure to establish a fire department or otherwise to provide fire protection, rescue or other emergency service."

**Section 3.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 4.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Hall, seconded by Commissioner Gover, adopted this 6th day of April, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,  
Commissioner Hall, Commissioner Rankin,  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 6th day of April, 2010.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 7, 2010.

Mayor Cline opened the floor for comments or questions from the Council and Public with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Hall moved to adopt Ordinance 2010-5290, amending Sections § 99.06, § 150.02, § 150.11, § 150.31, §152.06, 152.99, § 156.12, § 156.13 and § 160.04 of the Mattoon Code of Ordinances to reference fees contained in Section 35.01 "Fees and Charges".

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**CITY OF MATTOON, ILLINOIS**

**ORDINANCE NO. 2010-5290**

AN ORDINANCE TO AMEND § 99.06, § 150.02, § 150.11, § 150.31, §152.06, 152.99, § 156.12, § 156.13 and § 160.04

CONSOLIDATING FEES IN § 35.01 (E) IN THE CITY CODE OF ORDINANCES

**WHEREAS**, the City of Mattoon desires to consolidate the fees contained in the Code of Ordinance into one part of such code.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mattoon as follows:

**Section 1.** Recitals. The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** The following article of the City of Mattoon municipal code is amended as follows:

**§ 99.06 WORK PERFORMANCE IN STREETS AND CITY PROPERTY.**

(A) *Insurance or bond.* In order to protect public property and the city, the following shall be required for any permit issued by the city for the performance of any work in or involving public property:

(1) The permit holder shall hold harmless the city and its duly authorized agents and employees in the amount up to \$1,000,000 in the aggregate, and certificate of insurance shall be filed with the Building Inspector's Office as evidence thereof, or that acceptable surety bond therefore be filed with the Building Inspector's Office; and

(2) The permit holder shall protect the city against loss or damage to public property by maintaining a performance bond at least equal to the value of the project as determined by the Public Works Director or his or her agent; proof of the bond shall be filed with the Building Inspector's Office.

(B) *Permit fees.* Permit fees for the performance of work in, to, or involving public property within the city shall be in accordance with §35.01 (E) (1). ~~as follows:~~

~~(1) There shall be a general permit fee of \$50. Additional fees will be added to the permit fee depending on the type of public property being removed for excavation, as follows:~~

~~———— (a) Curb cut ——— \$50~~

~~———— (b) Sidewalk cut ——— \$50~~

~~———— (c) Alley cut ——— \$50~~

~~———— (d) Street cut ——— \$200~~

~~———— (2) Only the \$50 general permit fee shall be assessed for any sidewalk, curbing, or driveway entrance that is to be replaced by the property owner.~~

(3) The city will be responsible for replacing any sidewalk or curbing for which an additional fee is paid.

(C) *Preparation and backfill requirements.* It shall be a condition of a permit that the holder will comply with all applicable rules, regulations and ordinances of the city or the duly authorized officer thereof. Including, but not limited to, the following:

(1) All pavement/curbing/sidewalks must be saw cut in a uniform manner.

(2) If water or sewer pipe is undercut it must have a granular backfill compacted beneath the pipe.

(3) The existing pipe must be covered by at least six inches of granular backfill.

(4) The remaining portion of the backfill procedure for areas in the roadway (street or alley) and two feet beyond the improved roadway shall use a non-air entrained controlled low strength material (commonly known as flowable fill). This material shall be brought up to the top of subgrade, that is, to the bottom of the existing street surface. The contractor shall not place the flowable fill until a representative of the city has inspected the trench.

(5) The city will provide the contractor with a metal bridge plate to place over the excavation so traffic can pass over the excavation.

(6) The contractor shall remove the metal bridge plate the next weekday (Monday through Friday) and fill the remaining portion of the excavation with CA6 aggregate.

(7) Sidewalk areas shall be backfilled with granular backfill up to six inches below existing grade. The remaining six inches shall be CA6 aggregate.

(8) Any emergency excavation in any public right-of-way on days when city forces do not normally work can be reported to the city by calling the Water Treatment Plant at 234-2454.

**Section 3.** The following article of the City of Mattoon is amended as follows:

**§ 150.02 REVISIONS TO THE INTERNATIONAL BUILDING CODE.**

The following sections of the International Building Code are hereby revised:

(A) *Section 101.1. Title.* Insert name of jurisdiction: City of Mattoon, Coles County, State of Illinois.

(B) *Section 105.2. Work exempt from permit.* Delete: Fences not over 6 feet (1829 mm) high. Insert: Siding and replacement windows with no structural changes.

(C) *Section 108.2. Schedule of permit fees.* Change: On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with §35.01 (E) (1). ~~a schedule as approved by a resolution of the City Council.~~

(D) *Delete Section 112. Board of Appeals.*

(E) *Section 1612.3. Establishment of flood hazard areas.* Insert name of jurisdiction: City of Mattoon, Coles County, Illinois. Insert date of issuance of flood insurance study: December 18, 1985.

(F) *Section 3410.2. Applicability of compliance alternatives.* Insert: Structures existing prior to January 1, 2005 in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3407. The provisions in Sections 3410.2.1 through 3410.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

**Section 4.** The following article of the City of Mattoon is amended as follows:

**§ 150.11 REVISIONS TO THE INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS.**

The following sections of the International Residential Code for one- and two-family dwellings are hereby revised:

(A) *Section R101.1. Title.* Insert name of jurisdiction: City of Mattoon, Coles County, State of Illinois.

(B) *Section R105.2. Work exempt from permit.* Change: One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11.5 m). Delete: Fences not over 6 feet (1829 mm) high. Insert: Siding and replacement windows with no structural changes.

(C) *Section R108.2. Schedule of permit fees.* Change: On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with §35.01 (E) (1). ~~a schedule as approved by a resolution of the City Council.~~

(D) *Delete Section R112. Board of Appeals.*

(E) *Insert: Table R301.2 (1).*

| Table R301.2(1) Climatic and Geographic Design Criteria |                                  |                         |                                   |   |                                |                              |
|---|----------------------------------|-------------------------|-----------------------------------|---|--------------------------------|------------------------------|
| Ground snow load  | Wind speed (mph)                 | Seismic design category | Subject to damage from weathering | Subject to damage from frost line depth | Subject to damage from termite | Subject to damage from decay |
| 20 lb/ft  | 90                               | C                       | Severe                            | 3 feet                                  | Moderate to heavy              | Slight to moderate           |
| Winter design temp                                      | Ice shield underlayment required |                         | Flood hazards                     | Air freezing index                      | Mean annual temp               |                              |
| 0F  | Yes                              |                         | 12/18/85                          | 1,500                                   | 0F                             |                              |

(F) *Delete: Chapters 25 through 32.* The Illinois Plumbing License Law (ILCS Ch. 225, Act 320) promulgates the minimum plumbing code of standards applicable throughout the state of Illinois.

(G) *Delete: Chapters 33 through 42.* The National Electric Code adopted at Chapter 151 of the Mattoon Code of Ordinances establishes requirements applicable to electrical systems within the city.

**Section 5.** The following article of the City of Mattoon is amended as follows:

**§ 150.31 REVISIONS TO THE INTERNATIONAL MECHANICAL CODE.**

The following sections of the International Mechanical Code are hereby revised.

(A) *Section 101.1. Title.* Insert name of jurisdiction: City of Mattoon, Coles County, State of Illinois.

(B) *Section 106.5.2. Fee schedule.* Change: On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required in accordance with §35.01 (E) (1). ~~a schedule as approved by a resolution of the City Council.~~

(C) *Section 106.5.3. Fee refunds.* Insert: The code official shall authorize the refunding of fees as follows:

- (1) The full amount of any fee paid hereunder which was erroneously paid or collected.
  - (2) Not more than 100% of the permit fee paid when no work has been done under a permit issued in accordance with this code.
  - (3) Not more than 100% of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.
  - (4) The code official shall not authorize the refunding of any fee paid, except on written application filed by the original permittee not later than 180 days after the date of the fee payment.
- (D) *Section 108.4. Violation penalties.* Change: Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties established at § [10.99](#) of the Mattoon Code of Ordinances
- (E) *Delete Section 109.2. Board of Appeals.*

**Section 6.** The following article of the City of Mattoon is amended as follows:

**§ 152.06 PERMIT REQUIRED.**

- (A) It shall be unlawful for any person to erect, construct, enlarge, alter, replace any fence regulated by this chapter without first obtaining a permit for each fence and a fee of ~~\$12.00~~ in accordance with § 35.01 (E) (1) been paid to the ~~Building Inspections-Community Development~~ Office or other authorized municipal agency and approved by the ~~Building Inspector~~ Community Development Coordinator. The ~~Building Inspector~~ Community Development Coordinator may revoke a permit or approval issued under the provisions of this section in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based.
- (B) Vegetation fences are exempt from obtaining a permit.

**§ 152.99 PENALTY.**

Any person who shall erect, construct, enlarge, alter or replace any fence, without obtaining a permit before the commencement of work shall be in violation of this chapter, shall pay a permit fee of \$36 and subject to penalties in accordance with § 10.99, ~~could be fined not less than \$10 nor more than \$500, and shall be liable to further penalty of not less than \$10 nor more than \$500 for each day the same is suffered to remain after the first conviction of an offense hereunder.~~

**Section 7.** The following article of the City of Mattoon is amended as follows:

**§ 156.12 PLUMBING PERMITS.**

It shall be unlawful for any person to install, alter or change any plumbing in any building or structure within the corporate limits of the city without first procuring a permit for such installation, alteration, or change from the ~~Sewer Department~~ Community Development Office. The permit shall be issued only to a plumbing contractor, employing plumber, or self-employed journeyman plumber, registered and bonded under § [156.11](#), or such other person as specified in § 14.17.1b of the Illinois State Plumbing Code. Applications for a permit shall be in accordance with § 14.17.2 of the Illinois State Plumbing Code. After the permit shall have been issued by the ~~Sewer Department~~ Community Development Office it shall be unlawful for any person to change or modify the plans or specifications unless such change or modification shall first have been submitted to the ~~Sewer Department~~ Community Development Office and approved.

[Penalty, see § 10.99](#)



**§ 156.13 PERMIT FEES.**

The ~~Sewer Department~~ Community Development Office shall collect a fee for each permit in accordance with §35.01 (E) ~~(1) the following fees for permits issued~~, which said fees shall be paid prior to the issuance of the permit. The fee shall be the same in the case of alteration or change of existing plumbing or in the case of the installation of new plumbing.

~~Minimum permit fee for 1 to 10 drains — \$25.00~~

~~For each additional drain — 4.00~~

Section 8. **The following article of the City of Mattoon is amended as follows:**

**§ 160.04 SIGN PERMITS.**

(A) *Permit required; conditions.* Before a sign is erected, altered, or relocated, a permit must be obtained:

- (1) If it is a new sign.
- (2) If an existing sign is being moved to a new location.
- (3) If an existing sign is being enlarged in any manner.
- (4) If an existing sign is being replaced with a similar sign of a new material.
- (5) If structural modifications or changes are made other than routine maintenance work.

(B) *Responsibility to obtain permit.* It is the responsibility of the owner of the sign directly, or through his or her agent or contractor, to secure the appropriate permit.

(C) *Display of permit.* The permit shall be on display on the premises at the time of the beginning of erection and the next seven days.

(D) *Exemptions.* The following signs need not secure a permit, but these signs must meet all other requirements of this chapter.

- (1) The maintenance of existing sign areas as defined in Section 12 of this chapter.
- (2) Construction sign (erected after construction has commenced) identifying the developer, builder, owner architect, source of financing and other similar information.
- (3) Window promotional signs.
- (4) Yard sale signs.
- (5) Signs permitted for single unit dwellings.
- (6) Signs for historic places and buildings.
- (7) Political signs.
- (8) Temporary real estate signs advertising real estate for sale, rent or lease.
- (9) Temporary signs, pennants, banners, and portable signs.

(E) *Permit fee.* The applicant for a sign permit shall pay a fee to the city through the office of the ~~Building Inspector~~ Community Development Office. The fee assessed shall be related to the sign size in accordance § 35.01 (E) (3), ~~with the following schedule:~~

| <del>Sign Size</del>                  | <del>Fee</del>     |
|---------------------------------------|--------------------|
| <del>00-24 square feet</del>          | <del>\$12.00</del> |
| <del>25-48 square feet</del>          | <del>\$24.00</del> |
| <del>49-72 square feet</del>          | <del>\$36.00</del> |
| <del>73-96 square feet</del>          | <del>\$48.00</del> |
| <del>larger than 96 square feet</del> | <del>\$60.00</del> |

**Section 9.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 10.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Cline, seconded by Commissioner Hall, adopted this 6th day of April, 2010, by a roll call vote as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,  
Commissioner Hall, Commissioner Rankin,  
Mayor Cline  
NAYS (Names): None  
ABSENT (Names): None

Approved this 6<sup>th</sup> day of April, 2010.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 7, 2010.

Mayor Cline opened the floor for comments or questions from the Council and Public with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Rankin seconded by Commissioner Ervin moved to adopt Ordinance 2010-5291, amending § 98.061, § 98.101, and § 91.27 of the Mattoon Code of Ordinances to reference fees contained in Section 35.01 "Fees and Charges".

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**CITY OF MATTOON, ILLINOIS**

**ORDINANCE NO. 2010-5291**

**AN ORDINANCE TO AMEND § 98.061, § 98.101, AND § 91.27 AND CONSOLIDATE FEES IN § 35.01 IN THE CITY CODE OF ORDINANCES**

**WHEREAS**, the City of Mattoon desires to consolidate the fees contained in the Code of Ordinance into one part of such code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, ILLINOIS:**

**Section 1. Recitals.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2. Amendments.** Section 98.061 (D) of Chapter 98 is enacted as follows:

**§ 98.061 BOAT REGISTRATION.**

(D) Fees. Annual boat registration fees are ~~established by a resolution of the City Council. Fees are not pro-rated for the fractional part of any calendar year.~~ shown in §35.01 G (22) & §35.01 G (23).

**Section 3. Amendments.** Section 98.101 of Chapter 98 is enacted as follows:

**§ 98.101 RENT.**

Annual rental fees for use of campgrounds and docks are ~~established by a resolution of the City Council. Fees may be changed by the City Council as deemed necessary at its sole discretion.~~ shown in §35.01 H (1).

**Section 4. Amendments.** Section 91.27 of Chapter 91 is enacted as follows:

**§ 91.27 SCHEDULE OF CEMETERY CHARGES.**

The schedule of charges for Dodge Grove Cemetery is as follows:

(A) Charges for sale of cemetery lots and mausoleum crypts shall be shown in §35.01 H (2):

~~— (1) Adult grave spaces, not otherwise specifically provided for — \$495.00~~

~~— (2) Infant grave spaces — \$250.00~~

~~— (3) Military veteran spaces in Section 7 — Division H — \$250.00~~

~~— (4) North/South spaces in Section 15 — Division A (NW) — \$425.00~~

~~— (5) Turf level spaces in Section 18 — Division E — \$425.00~~

~~— (6) Pauper spaces in Section 8 — Division F — \$175.00~~

~~— (7) Mausoleum crypt spaces, except top tier — \$1,350.00~~

~~— (8) Top tier mausoleum crypt spaces — \$1,150.00~~

~~— (B) Charges for opening graves shall be as follows:~~

~~— (1) Weekday grave openings — \$675.00~~

~~— (2) Weekday grave openings for Paupers — \$500.00~~

- ~~— (3) Grave openings on Saturdays — \$950.00~~
- ~~— (4) Grave openings on Sundays and holidays — \$1,100.00~~
- ~~— (5) Weekday openings for infants — \$275.00~~
- ~~— (6) Weekday cremations — \$400.00~~
- ~~— (7) Openings for infants and cremations on Saturdays — \$550.00~~
- ~~— (8) Openings for infants and cremations on Sundays and holidays — \$700.00~~
- ~~— (C) Charges for providing foundations for monuments and mausoleums are as follows:~~

- ~~— (1) 1 to 1.9 lineal feet — \$82.50~~
- ~~— (2) 2.0 to 2.9 lineal feet — \$120.00~~
- ~~— (3) 3.0 to 3.9 lineal feet — \$150.00~~
- ~~— (4) 4.0 to 4.9 lineal feet — \$207.00~~
- ~~— (5) 5.0 to 5.9 lineal feet — \$232.50~~
- ~~— (6) 6.0 to 6.9 lineal feet — \$270.00~~
- ~~— (7) 7.0 to 7.9 lineal feet — \$307.50~~
- ~~— (8) 8.0 to 8.9 lineal feet — \$352.50~~
- ~~— (9) 20 foot sidewalk — \$855.00~~
- ~~— (10) Above ground single mausoleum — \$675.00~~
- ~~— (11) Above ground double mausoleum — \$1,320.00~~

- ~~— (D) The charges for miscellaneous services provided by the cemetery staff are as follows:~~

- ~~— (1) Disinterments — \$1,200.00~~
- ~~— (2) Trimming shrubs on grave sites — \$20.00 minimum plus \$30.00/hour~~
- ~~— (3) Dirt for landscaping grave sites — \$25.00/C.Y.~~
- ~~— (4) Miscellaneous labor services (regular time) — \$30.00/hour~~
- ~~— (5) Overtime labor services (weekdays) — \$45.00/hour~~
- ~~— (6) Overtime labor services (weekends and holidays) — \$60.00/ hour~~

- ~~— (E) Charge for purchase of and placing ashes into an opening in the cremation niche shall be \$600.~~

**Section 5.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 6.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Rankin, seconded by Commissioner Ervin, adopted this 6<sup>th</sup> day of April, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,  
Commissioner Hall, Commissioner Rankin,  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 6th day of April, 2010.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 7, 2010.

Mayor Cline opened the floor for comments or questions from the Council and Public with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Gover seconded by Commissioner Ervin moved to adopt Ordinance 2010-5292, amending Section 35.01 "Fees and Charges" of the City of Mattoon Code of Ordinances to set fees charged by the City.

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## **CITY OF MATTOON, ILLINOIS**

### **ORDINANCE NO. 2010-5292**

#### **AN ORDINANCE TO SET FEES CHARGED BY THE CITY OF MATTOON, ILLINOIS**

**WHEREAS**, the City of Mattoon desires to consolidate various fees now contained in the Code of Ordinances.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mattoon as follows:

**Section 1. Recitals.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2.** Chapter 35.01 of the Mattoon Code of Ordinances is amended by repealing all of said Chapter and adopting in lieu thereof a new Chapter 35.01 as shown in Attachment A. The fees listed in Attachment A, if in conflict with the same fees now contained in the Mattoon Code of Ordinances, shall have precedence.

**Section 3.** All prior ordinances, resolutions and orders or parts of ordinances, resolutions and orders in conflict with this Resolution are repealed to the extent of such conflict.

**Section 4.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 5.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Gover, seconded by Commissioner Ervin, adopted this 6th day of April, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,  
Commissioner Hall, Commissioner Rankin,  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 6th day of April, 2010.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 7, 2010.

#### 35.01 Fees and Charges

The following lists fees and charges and other information related to permits and licenses required by the City.

(A) **Liquor Control [Reserved]**

(B) **Police**

(1) Vehicle Impound Fee \$250.00 (Driving with a suspended or revoked license, driving under the influence (DUI), or a vehicle used in a felony.

(C) **Public Works [Reserved]**

(D) **Fire**

##### (1) Fire Protection Services Outside Corporate Limits:

- (a) ~~\$125~~ \$250 per hour for each Fire Department vehicle involved in the incident.
- (b) ~~\$35~~ \$70 per hour for each Fire Department employee dispatched for such services.
- (c) All hourly charges shall be rounded to the nearest ¼ hour with the time calculated from the time that the trucks and fire fighters are dispatched from the fire station until the trucks and fire fighters return to the fire station.
- (d) Minimum charges of ~~\$400~~ \$425.00 shall be assessed for all motor vehicle collisions.
- (e) Minimum of ~~\$250~~ \$275.00 is assessed for all motor vehicle fires not incidental to a motor vehicle collision.
- (f) All charges shall be due 30 days from the date of the statement, with 1½% per month late penalty to be charged and collected.
- (g) Billing procedures for fees to be assessed pursuant to this section shall be the responsibility of the ~~office of the City Clerk~~. Fire Chief.

(2) Municipal Ambulance Service; Emergency Rescue Service Charges:

- (a) Residents of the city shall pay ~~\$230~~ \$425.00 plus ~~\$9.63~~ \$10.41 per mile from the scene to the hospital emergency room for BLS treatment “Basic Life Support”.
- (b) Residents of the city shall pay \$650 plus \$10.41 per mile from the scene to the hospital emergency room for ALS “ Advanced Life Support” treatment, residents shall pay \$800 plus \$10.41 per mile for ALS II treatment.
- (c) Non-residents of the city shall pay ~~\$437~~ \$525.00 plus ~~\$9.63~~ \$10.41 per mile from the scene to the hospital emergency room for BLS treatment.
- (d) Non-residents of the city shall pay \$775 plus \$10.41 per mile from the scene to the hospital emergency room for ALS treatment, non-residents shall pay \$950 plus \$10.41 per mile for ALS II treatment.
- (e) Patients shall be charged for advanced life support non-transport services rendered. Rates for this service shall be \$75 for residents and \$125 for a non-resident.
- (f) Disposable medical supplies used in patient treatment by the municipal ambulance service shall be charged to the patient(s) on a current cost basis as shall be determined by the Fire Chief.
- (g) Treatments that will be charged for in addition to the base rate are listed below: Intraosseous (IO) is \$75, Intravenous (IV) \$75.
- (h) The fee for non-emergency standby service to any commercial enterprise shall be \$75 per hour with the exception of special events authorized by the City Administration or the Fire Department and Mattoon Community Unit #2 sporting events.
- (I) \$500.00 charge shall be assessed for any vehicle accident that requires extrication for a non-resident.
- (J) Ambulance fees shall be evaluated on an annual basis and adjusted if deemed necessary by the City.

**(E) Community Development**

**(1) SCHEDULE OF CONSTRUCTION PERMIT FEES**

| Type of Construction   | Rate Computation  | Minimum Fee  |
|--|---|--|
| New Construction and Additions <i>exclusive of gas, plumbing, mechanical, electrical and other fees presented on these schedules</i> | Gross Area x Square Foot Construction Cost Index x 0.004<br>(a) | <del>\$20.00</del> <u>40.00 (b)</u>                |
| Alterations and Remodeling   | Est. Construction Costs x 0.004                                 | <del>\$20.00</del> <u>40.00 (b)</u>                |
| Mechanical, HVAC Systems & Gas Systems   | Est. Construction Costs x 0.004                                 | <del>\$20.00</del> <u>40.00 (b)</u>                |
| Plumbing Systems   | 1-10 Fixtures<br>Additional Fixtures                            | <del>\$25.00</del> <u>40.00 (b)</u><br>\$4.00 Each |
|  |   |  |

|   |                              |                              |
|---|------------------------------|------------------------------|
| Water & Sewer Service Renewals  | Lump Sum                     | \$20.00 40.00 (b)            |
| Demolition Permits  | Lump Sum                     | \$12.00 (b)                  |
| Fence Construction Permits  | Lump Sum                     | \$12.00 (c)                  |
| Boulevard, Curb & Street Cut Permits:   | Lump Sum                     | \$50.00 (b)                  |
| Additional Fee By Type of Cut   |                              |                              |
| Curb Cut  | Lump Sum                     | \$50.00 60.00 (b)            |
| Sidewalk Cut  | Lump Sum                     | \$50.00 60.00 (b)            |
| Alley Cut   | Lump Sum                     | \$50.00 60.00 (b)            |
| Street Cut  | Lump Sum                     | \$200.00 250.00 (b)          |
| Only the \$50.00 minimum fee is assessed when areas cut are restored by the property owner, his or her contractor |                              |                              |
| Electrical Systems  | See Exhibit B 35.01 (E)<br>2 | See Exhibit B 35.01<br>(E) 2 |

**Notes:**

(a) The International Code Council publishes the Construction Cost Index, which is usually updated every six months. It reflects average square foot construction costs based upon typical construction methods for each occupancy group and type of construction. Whether a specific project is bid at a cost above or below the index value does not affect the permit fee. This establishes a “level playing field” for all potential project bidders.

**Square Foot Construction Costs<sup>a, b, c, d</sup>**

| Group (2009 International Building Code)                   | 1A     | 1B     | 2A     | 2B     | 3A     | 3B     | 4      | 5A     | 5B     |
|--|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| A-1 Assembly, theaters, with stage                         | 204.81 | 197.86 | 192.77 | 184.35 | 172.91 | 168.11 | 177.81 | 158.10 | 151.39 |
| A-1 Assembly, theaters, without stage                      | 187.37 | 180.42 | 175.33 | 166.91 | 155.51 | 150.71 | 160.37 | 140.70 | 133.99 |
| A-2 Assembly, nightclubs                                   | 155.74 | 151.36 | 147.50 | 141.90 | 133.46 | 129.73 | 136.94 | 121.02 | 116.96 |
| A-2 Assembly, restaurants, bars, banquet halls             | 154.74 | 150.36 | 145.50 | 140.90 | 131.46 | 128.73 | 135.94 | 119.02 | 115.96 |
| A-3 Assembly, churches                                     | 189.22 | 182.27 | 177.18 | 168.76 | 157.33 | 152.53 | 162.22 | 142.51 | 135.80 |
| A-3 Assembly, general, community halls, libraries, museums | 158.87 | 151.92 | 145.83 | 138.41 | 125.97 | 122.17 | 131.88 | 111.16 | 105.45 |
| A-4 Assembly, arenas                                       | 186.37 | 179.42 | 173.33 | 165.91 | 153.51 | 149.71 | 159.37 | 138.70 | 132.99 |
| B Business   | 158.40 | 152.65 | 147.57 | 140.34 | 127.30 | 122.71 | 134.52 | 111.91 | 106.66 |
| E Educational  | 171.53 | 165.59 | 160.55 | 153.20 | 141.88 | 134.72 | 147.92 | 123.99 | 119.32 |
| F-1 Factory and industrial, moderate hazard                | 93.92  | 89.61  | 84.47  | 81.69  | 73.14  | 69.92  | 78.41  | 60.23  | 56.97  |
| F-2 Factory and industrial, low hazard                     | 92.92  | 88.61  | 84.47  | 80.69  | 73.14  | 68.92  | 77.41  | 60.23  | 55.97  |
| H-1 High Hazard, explosives                                | 88.02  | 83.71  | 79.57  | 75.79  | 68.42  | 64.20  | 72.51  | 55.51  | N.P.   |
| H234 High Hazard   | 88.02  | 83.71  | 79.57  | 75.79  | 68.42  | 64.20  | 72.51  | 55.51  | 51.25  |
| H-5 HPM  | 158.40 | 152.65 | 147.57 | 140.34 | 127.30 | 122.71 | 134.52 | 111.91 | 106.66 |
| I-1 Institutional, supervised environment                  | 159.09 | 153.50 | 148.95 | 142.51 | 130.74 | 127.30 | 138.80 | 117.44 | 112.84 |
| I-2 Institutional, hospitals                               | 266.39 | 260.64 | 255.56 | 248.33 | 234.50 | N.P.   | 242.51 | 219.11 | N.P.   |
| I-2 Institutional, nursing homes                           | 185.59 | 179.83 | 174.76 | 167.53 | 154.81 | N.P.   | 161.71 | 139.41 | N.P.   |
| I-3 Institutional, restrained                              | 180.47 | 174.72 | 169.64 | 162.41 | 150.60 | 145.01 | 156.59 | 135.20 | 127.96 |
| I-4 Institutional, day care facilities                     | 159.09 | 153.50 | 148.95 | 142.51 | 130.74 | 127.30 | 138.80 | 117.44 | 112.84 |
| M Mercantile   | 115.80 | 111.42 | 106.56 | 101.96 | 93.15  | 90.42  | 97.00  | 80.71  | 77.65  |
| R-1 Residential, hotels                                    | 160.44 | 154.84 | 150.29 | 143.85 | 132.24 | 128.80 | 140.31 | 118.95 | 114.35 |
| R-2 Residential, multiple family                           | 134.26 | 128.66 | 124.11 | 117.67 | 106.72 | 103.28 | 114.78 | 93.42  | 88.82  |
| R-3 Residential, one- and two-family                       | 124.88 | 121.41 | 118.43 | 115.31 | 111.07 | 108.19 | 113.40 | 104.09 | 97.95  |
| R-4 Residential, care/assisted living facilities           | 159.09 | 153.50 | 148.95 | 142.51 | 130.74 | 127.30 | 138.80 | 117.44 | 112.84 |
| S-1 Storage, moderate hazard                               | 87.02  | 82.71  | 77.57  | 74.79  | 66.42  | 63.20  | 71.51  | 53.51  | 50.25  |
| S-2 Storage, low hazard                                    | 86.02  | 81.71  | 77.57  | 73.79  | 66.42  | 62.20  | 70.51  | 53.51  | 49.25  |
| U Utility, miscellaneous                                   | 68.13  | 64.29  | 60.15  | 56.88  | 50.70  | 47.41  | 54.03  | 39.33  | 37.47  |

- a. Private Garages use Utility, miscellaneous  
b. Unfinished basements (all use group) = \$15.00 per sq. ft.  
c. For shell only buildings deduct 20 percent  
d. N.P. = not permitted

(b) Mattoon has been using a 1997 Construction Cost Index to compute permit fees. Mattoon's Permit Fee Multiplier has been reduced from 0.0065 to 0.0040 to offset higher 2004 Construction Cost Index values and to maintain fees that are relatively equivalent to the schedule of fees in effect prior to January 1, 2005. Any person who commences work without obtaining a permit before the commencement shall be in violation of Chapter 150 and shall



pay a permit fee twice the amount of the fee listed in this chapter and could be liable to further penalties. (Emergency repairs shall be reported the next business day.)

(c) Any person who shall erect, construct, enlarge, alter or replace any fence, without obtaining a permit before the commencement of work shall be in violation of this chapter, shall pay a permit fee of \$36 and subject to penalties in accordance with § 10.99.

(2) **SCHEDULE OF ELECTRICAL PERMIT FEES**

- (a) Fees for branch circuits shall not exceed the cost of new service fees for the locations at the rate of \$22.50 per circuit.
- (b) For temporary electrical services, \$25.00 residential, \$50.00 commercial
- (c) For extending or otherwise altering a circuit, \$10.00
- (d) For hooking up a manufactured home or mobile home, \$50.00
- (e) For work commencing before permit issuance except for emergency situations, Standard permit fee doubles
- (f) For existing services or residential ~~rated~~ electrical services as defined by C. 334.10 of the City of Mattoon Electrical Code:

| <u>Service Ampere Rating</u> | <u>Fee</u> |
|------------------------------|------------|
| 100 ampere service           | \$50.00    |
| 200 ampere service           | \$80.00    |
| 400 ampere service           | \$200.00   |
| 600 ampere service           | \$300.00   |
| 800 ampere service           | \$400.00   |
| 1,000 ampere service         | \$500.00   |
| 1,200 ampere service         | \$600.00   |
| 1,600 ampere service         | \$800.00   |
| 2,000 ampere service         | \$1000.00  |
| 2,500 ampere service         | \$1250.00  |
| 3,000 ampere service         | \$1500.00  |
| 4,000 ampere service         | \$2000.00  |
| 5,000 ampere service         | \$2500.00  |
| 6,000 ampere service         | \$3000.00  |

- (g) For branch service from existing panels:

|                   |          |
|-------------------|----------|
| 60 ampere or less | \$30.00  |
| 100 ampere        | \$40.00  |
| 200 ampere        | \$80.00  |
| 400 ampere        | \$100.00 |
| 600 ampere        | \$150.00 |
| 800 ampere        | \$300.00 |
| 1,000 ampere      | \$400.00 |

- (h) For service ratings other than those appearing above, the fee shall be that of the next largest size. All services larger than 6,000 amps shall be computed at the rate of Ten dollars (\$10.00) per kW.
- (i) For new “commercial construction” or above as defined by C. 334.10 (1) of the City of Mattoon Electrical Code, the fee will be calculated at \$1.00 per amp. Services over 6000 amps shall be calculated per item 8.
- (j) The foregoing fees shall cover all wiring complete with fixtures, devices and all associated equipment installed by the permit holder for the wiring of the building, structure or premises except subsequently stand-by emergency generators, which require a separate permit.

- (k) For subsequently installed stand-by generators up to 50kW the fee shall be \$100.00. This fee shall cover all wiring and equipment required for the stand-by generator. For generators larger than 50kW the fee will be calculated at .50 cents per kW.
- (l) When additional inspections are necessary, to remedy a reoccurring deficiency or error, due to inaccurate or incorrect information, failure to make necessary repairs, or faulty installations, a charge of \$75.00 per hour shall be made for each such inspection.
- (m) All fees shall be made payable to the "City of Mattoon" and deposited with the Finance Department before a permit shall be issued.
- (n)

**(3) SCHEDULE OF SIGN PERMIT FEES**

| Sign Size                      | Fee     |
|--------------------------------|---------|
| (a) 00-24 square feet          | \$12.00 |
| (b) 25-48 square feet          | \$24.00 |
| (c) 49-72 square feet          | \$36.00 |
| (d) 73-96 square feet          | \$48.00 |
| (e) larger than 96 square feet | \$60.00 |

**(F) Finance [Reserved]**

**(G) Administration**

- (1) Auctioneer: \$2.50 per day or \$7.50 per month or \$15 for three months or \$25 per year
- (2) Billiard or pool table: \$5 per year for first table and \$2 per year, each additional table
- (3) Bowling alley: \$10 per alley per month or \$15 per alley per year
- (4) Handbill distributor: \$2 per day
- (5) Itinerant merchant or transient vendor: \$10 per day or \$25 per week or \$50 per month or \$75 for three months
- (6) Junk dealer: \$50 per year
- (7) Pawnbroker: \$10 per month or \$120 per year
- (8) Peddler or hawker: on foot, \$40 per year or with a vehicle, \$75 per year and for each additional assistant or employee, \$10 per year. For assistants working less than one week, \$5 per day for each assistant. However, no license fee for any person selling or peddling goods grown or produced by himself.
- (9) Roller skating rink \$25 per year.
- (10) Second-hand dealer \$25 per year, excluding those dealing in household furniture only.
- (11) Shooting gallery: \$5 per day or \$15 per month or \$35 per year
- (12) Shuffleboard: \$25 per year for each shuffle board
- (13) Birth certificates fees are \$14.00 for the first copy and \$4.00 for each additional copy.
- (14) Death certificates fees are \$16.00 for the first copy and \$6.00 for each additional copy, including the \$2.00 fee remitted to the Illinois Department of Vital Records as mandated by Public Act 92-0141. External

corrections of death certificates are assessed an additional \$4.00 fee for the correction and reprinting purposes.

(15) Standard copies are \$0.25 per page for non-governmental agencies; however, FOIA fees effective January 1, 2010 are \$0.15 per page, but only after the first 50 pages.

(16) Faxed copies are \$2.00 for the first page and \$1.00 for each additional page, to include FOIA.

(17) Standard mailing fees apply for each request.

(18) Notary service \$1.00 for each signature; however, Mattoon residents are exempt.

(19) Document Charges

|                        |               |
|------------------------|---------------|
| Strategic Plan         | \$15.00       |
| Zoning Map             | \$15.00       |
| Zoning Ordinance       | \$15.00       |
| Sub-Division Ordinance | 10.00         |
| Electrical Ordinance   | 7.50          |
| Comprehensive Plan     | 20.00         |
| General Plan update    | 15.00         |
| TIF I-57               | 26.25         |
| Audit Reports          | 10.00         |
| Other reports          | 0.15 per page |

(20) Garbage Hauler -- Collector License \$100/year

(21) Garbage Hauler Vehicles Class A & B-- \$100/year/vehicle

(22) Motorized Boats ~~\$40.00~~ \$50.00 applies to all motorized boat or craft that may be lawfully kept or used at Lake Mattoon and Lake Paradise.

(23) Non-motorized Boats ~~\$10.00~~ includes trolling motors.

(24) Parking Spaces \$10.00/month per space

Extra Hangtag \$10.00

Extra Stickers \$1.00 per sticker

(25) Space/Facility Rentals – May be reserved one year in advance

| <b>DeMars</b>                         | <b>Fee</b> |
|---------------------------------------|------------|
| 8am to 3:30pm                         | \$60.00    |
| 4pm to 11pm                           | 90.00      |
| 8am to 11pm                           | 150.00     |
| Damage Deposit                        | 100.00     |
| <b>Pavilion</b>                       |            |
| Reservation (Per Section -3 Sections) | 15.00      |
| <b>Bandshell</b>                      |            |
| Reservation                           | 25.00      |
| Damage Deposit                        | 50.00      |
| <b>Lawson</b>                         |            |
| No Reservations                       | 0.00       |
| <b>Burgess-Osborne</b>                |            |
| 8am to 3:30pm                         | 50.00      |
| 4pm to 11pm                           | 75.00      |
| 8am to 11pm                           | 100.00     |
| Damage Deposit                        | 50.00      |

Cancellation fee - No refunds within 30 days of reservation date.  
Reservation must be paid within 14 days of reserving.

**(H) Recreation and Cemetery**

**(1) Campgrounds**

Lake Mattoon Campground East

|                 |            |  |
|-----------------|------------|--|
| Seasonal Rate   | \$1,000.00 | April 1 to October 1   |
| Electric Hookup | \$162.00   | \$13.50 each month for 12 months                                   |
| Water Hookup    | \$90.00    | \$15.00 each month for 6 months.                                   |
| Monthly Rate    | \$180.00   | Plus electric and water.   |
| Daily Rate      | \$20.00    | Electric and water hookups not available for daily rate customers. |
| Boat Docks      | \$150.00   | Yearly for one side or \$300 for two sides.                        |

Lake Mattoon Campground West

|                 |            |   |
|-----------------|------------|---|
| Seasonal Rate   | \$1,090.00 | April 15th to October 15th                  |
| Monthly Rate    | \$200.00   |   |
| Daily Rate      | \$18.00    |   |
| Boat Docks      | \$150.00   | Yearly for one side or \$300 for two sides. |
| Daily Tent Rate | \$8.00     |   |

**(2) Dodge Grove Cemetery**

- (a) Charges for sale of cemetery lots and mausoleum crypts shall be as follows:
  - (1) Adult grave spaces, not otherwise specifically provided for \$495.00
  - (2) Infant grave spaces \$250.00
  - (3) Military veteran spaces in Section 7 - Division H \$250.00
  - (4) North/South spaces in Section 15 - Division A (NW) \$425.00
  - (5) Turf level spaces in Section 18 - Division E \$425.00
  - (6) Pauper spaces in Section 8 - Division F \$175.00
  - (7) Mausoleum crypt spaces, except top tier \$1,350.00
  - (8) Top tier mausoleum crypt spaces \$1,150.00
- (b) Charges for opening graves shall be as follows:
  - (1) Weekday grave openings \$675.00
  - (2) Weekday grave openings for Paupers \$500.00
  - (3) Grave openings on Saturdays \$950.00
  - (4) Grave openings on Sundays and holidays \$1,100.00
  - (5) Weekday openings for infants \$275.00
  - (6) Weekday cremations \$400.00
  - (7) Openings for infants and cremations on Saturdays \$550.00
  - (8) Openings for infants and cremations on Sundays and holidays \$700.00
- (c) Charges for providing foundations for monuments and mausoleums are as follows:
  - (1) 1 to 1.9 lineal feet \$82.50
  - (2) 2.0 to 2.9 lineal feet \$120.00
  - (3) 3.0 to 3.9 lineal feet \$150.00
  - (4) 4.0 to 4.9 lineal feet \$207.00
  - (5) 5.0 to 5.9 lineal feet \$232.50
  - (6) 6.0 to 6.9 lineal feet \$270.00
  - (7) 7.0 to 7.9 lineal feet \$307.50
  - (8) 8.0 to 8.9 lineal feet \$352.50
  - (9) 20 foot sidewalk \$855.00
  - (10) Above ground single mausoleum \$675.00
  - (11) Above ground double mausoleum \$1,320.00

- (d) The charges for miscellaneous services provided by the cemetery staff are as follows:
  - (1) Disinterments \$1,200.00
  - (2) Trimming shrubs on grave sites \$20.00 minimum plus \$30.00/hour
  - (3) Dirt for landscaping grave sites \$25.00/C.Y.
  - (4) Miscellaneous labor services (regular time) \$30.00/hour
  - (5) Overtime labor services (weekdays) \$45.00/hour
  - (6) Overtime labor services (weekends and holidays) \$60.00/ hour
- (e) Charge for purchase of and placing ashes into an opening in the cremation niche shall be \$600.

**(I) Tourism**

Bagelfest Fees per vendor -- includes a 10'x12' a space and electricity.

- (1) Commercial vendors ..... \$200.00
- (2) Craft Vendors (Private)..... \$100.00
- (3) Food Vendors..... \$300.00
- (4) Not For Profit Vendors ..... \$25.00

Fourth of July/Fireworks fees per vendor contract -- includes a 10'x12' space and electricity

- (1) Food Vendors \$100.00

Mayor Cline opened the floor for comments or questions from the Council and Public with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Hall moved to adopt Ordinance 2010-5293, updating the Electrical Code of the City of Mattoon for regulation of full cutoff lighting.

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**CITY OF MATTOON, ILLINOIS**

**ORDINANCE NO. 2010-5293**

**AN ORDINANCE UPDATING THE CITY'S ELECTRICAL CODE, ADOPTING ARTICLE 80 OF THE NATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS, PROVIDING FOR THE REGISTRATION OF ELECTRICAL CONTRACTORS AND ESTABLISHING FEES FOR ELECTRICAL PERMITS**

**WHEREAS**, the City of Mattoon has previously acknowledged the need for and has adopted codes to regulate and control the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use and maintenance of electrical systems in the City of Mattoon; and

**WHEREAS**, by Ordinance No. 99-5001, Mattoon adopted regulations for installation of electrical work, including the *National Electrical Code*® and provided for the registration of electrical contractors, the issuance of permits and fees therefore; and

**WHEREAS**, the *National Electrical Code*® has become the most widely adopted code in the United States – it is the standard used in all 50 states and all U.S. territories; and

**WHEREAS**, building code enforcement officials have long recognized a need for uniform code provisions for administration of the *National Electrical Code*® and other national standards applicable to electrical systems; and

**WHEREAS**, Article 80 of the 2002 edition of the *National Electrical Code*® published by the National Fire Protection Association is designed to meet these needs through model code regulations.

**NOW, THEREFORE, THE CITY COUNCIL OF CITY OF MATTOON DOES ORDAIN AS FOLLOWS:**

**Section 1.** The National Electrical Code® (NEC®), as it may be amended from time to time, is hereby adopted as the code of the City of Mattoon for regulating the design, construction, quality of materials, erection, installation, alternation, repair, location, relocation, replacement, addition to, use or maintenance of electrical systems in the City of Mattoon.

**Section 2. Premises Lighting** Any light used for illumination of buildings, signs, parking areas, security, or for any other purposes shall be arranged so as to contain direct lighting on the property on which the light source is located and away from nearby residential properties and the vision of motorist on adjacent streets. The cone of light from any light source other than a street light shall not extend onto adjacent residential property or pavement.

**A. Outdoor lighting design.**

- (1) All commercial and industrial outdoor lighting shall be fully-shielded (full-cutoff) as defined in this chapter. The City of Mattoon may waive this requirement to allow for appropriate historic or decorative lighting fixtures.
- (2) All outdoor lighting shall be so designed and placed as to limit light trespass onto adjacent lots. Light levels at lot lines, with the exception of ingress and egress points, shall be a maximum of one-half footcandles.
- (3) The average light level for all parking areas shall fall between one and two footcandles. Light levels shall not exceed a minimum to maximum ratio of 8:1, or an average to minimum ratio of 6:1. Variances for increased light levels for gas stations may be granted, but shall not exceed a maximum of thirty (30) footcandles or an average of twenty-five (25) footcandles.
- (4) The mounting height of outdoor lighting shall not exceed the average roof height of the principle building to which it relates or forty (40) feet, whichever is less. Unshielded residential and pedestrian fixtures shall not exceed ten (10) feet in height.
- (5) In all multi-lot developments, unified lighting standards, including mounting height and fixture style, shall be required.

**B. Exceptions.**

- (1) Luminaries used for public-roadway illumination shall be exempt from the requirements of this chapter.
- (2) All temporary emergency lighting needed by the police or fire departments, public utilities, or other emergency services, as well as all vehicular luminaries, shall be exempt from the requirements of this chapter.
- (3) All hazard-warning luminaries required by Federal and State regulatory agencies are exempt from the requirements of this chapter.
- (4) Outdoor lighting for recreational facilities shall be exempt from footcandle standards set forth in Section 2A. However, lighting at these types of facilities shall not exceed IES (Illuminating Engineering Society) standards for the type of field and use. Recreational facilities shall otherwise adhere to the standards set forth in Section 2 A.

**Section 3.** The following sections of the 2008 NEC® are hereby superceded by local amendment.

**A. 110.12 Mechanical Execution of Work.** Electrical equipment, as defined in the NEC, shall be installed in a neat and workmanlike manner.

- (1) Neat and workmanlike manner will be reasonably determined by the electrical inspector.
- (2) Neat and workmanlike includes but is not limited to; proper bends in conduit, proper support, and the elimination of exposed cable runs, field-bent, kinked, flattened, or poorly measured raceway, as well as cabinets, boxes, and enclosures not plumb or properly secured.

**B. C. 230.70(A)(1) Service Disconnect.** The service disconnecting means shall be installed at a readily accessible location either outside of a building or structure or inside nearest the point of entrance of the service conductors. Except where an

electric utility may prescribe more stringent requirements, in locations where the main panel is greater than 15-cable feet from the meter, a weatherproof protective disconnect shall be installed adjacent to the meter installation.

**B. C. 250.122 Size of Equipment Grounding Electrode Conductor.** All new single phase wiring done will be four-wire with an equipment grounding conductor sized in accordance with table 250.122 in the 2008 NEC. All Three Phase WYE systems will have a separate grounding conductor sized as well.

- (1) It will not be acceptable to use a metallic raceway for grounding conductor purposes.

**D. 300.5(F) Backfill in Underground Installations.** Backfill that contains large rocks, paving materials, cinders, large or sharply angular substances, or corrosive material shall not be placed in an excavation where materials may damage raceways, cable, or other substructures or prevent adequate compaction of fill or contribute to corrosion of raceway, cable, or other substructures. Where necessary to prevent physical damage to the raceway or cable, protection shall be provided in the form of granular or selected material, suitable running boards, suitable sleeves, or other approved means.

- (1) "Large rocks" are defined as particles incapable of passing through a ½" sieve with square openings.
- (2) Crushed gravel, as defined by the Illinois Department of Transportation's Standard Specifications for Road and Bridge Construction (adopted January 1, 2002) shall not be allowed.

**E. 334.10 Nonmetallic-sheathed Cable Uses Permitted.** Type NM, Type NMC and Type NMS nonmetallic-sheathed cable may ONLY be used in one and two-family dwellings and residential garages (residential installations for the purpose of this ordinance). Furthermore this cable shall be sized no smaller than #12, unless on a switched leg, or by special permission of the electrical inspector.

- (1) Unless special permission is granted, anything other than the installations mentioned above (commercial installations for the purpose of this ordinance) shall be installed in approved metallic raceway, no smaller than metric designator 16 (trade size ½").
- (2) Metallic sheathed cable of metric designator 12 (trade size 3/8") may be used in no lengths greater than 6', and where not exposed to physical damage, to facilitate the wiring of branch circuit receptacles, and lighting whip. Longer lengths may be permitted with special permission of the electrical inspector.

~~**F. 334.10 Nonmetallic-sheathed Cable Uses Permitted.** Type NM, Type NMC and Type NMS nonmetallic-sheathed cable may ONLY be used in one and two-family dwellings and residential garages.~~

**F. 406.12 Tamper-Resistant Receptacles other than Dwelling Units.** Within the following areas all 125-volt, 15- and 20-ampere receptacles shall be listed tamper-resistant receptacles.

- (1) In all areas publicly accessible, this includes but is not limited to all dining areas, waiting areas and the like.
- (2) In all areas of transient occupancy such as hotel rooms, motel rooms, and extended stay suites.

**G. 550.32(A) Mobile Home Service Equipment.**

- (1) Mobile homes shall have a minimum 1-1/2 inch conduit for service entrance conductors. This conduit shall be run from the service disconnect to at least one foot inside the outer wall line of the mobile home.
  - (a) The conduit shall be run a minimum of 18 inches below grade from the service equipment to under the mobile home where it shall be brought up to a minimum of 6 inches above grade.
  - (b) This conduit shall have a weatherproof junction box sized in accordance with the latest edition of the NEC® for terminating the conductors from the service disconnect to the mobile home.
- (2) The mobile home park owner, rather than a tenant, shall furnish and install the mobile home service equipment.
- (3) The owner of a mobile home must obtain a permit before connecting to the main power supply. After the mobile home has been connected to the power supply, the owner or contractor who obtained the permit must call for a final inspection.

**Section 3.** Article 80 of the 2008 edition of the NEC®, a copy of which is attached hereto, marked as "Exhibit B-A" and incorporated herein by reference, is hereby adopted to provide for the administration and enforcement of the NEC®, except as amended by Section 3 of this ordinance.

**Section 4.** The following sections of Article 80 of the 2008 edition of the NEC® are hereby changed or supplemented by local

amendment.

**A. 80.9. Application.**

- (A) **New Installations.** This Code applies to new installations. Buildings with construction permits dated after the effective date of this Code shall comply with its requirements.
- (B) **Existing Installations.** Existing electrical installations that do not comply with the provisions of this Code shall be permitted to continue in use unless the Electrical Inspector determines that the lack of conformity with this Code presents an imminent danger to occupants. Where changes are required for correction of hazards, a reasonable amount of time shall be given for compliance, depending on the degree of the hazard.
- (C) **Additions, Alterations or Repairs.** Additions, alterations or repairs to any building, structure or premises shall conform to that required of a new building without requiring the existing building to comply with all the requirements of this Code. Additions, alterations, installations or repairs shall not cause an existing building to become unsafe or to adversely affect the performance of the building as determined by the Electrical Inspector. Electrical wiring added to any existing service, feeder or branch circuit shall not result in an installation that violates the provisions of the Code in force at the time the additions are made.
- (D) **Policy Regarding Existing Installations.** Strict enforcement of updated versions of national codes could make continued use or reuse of existing buildings and structures technically unfeasible or impose disproportionate costs due to characteristics that may not be in compliance with updated versions of the national codes. The various national codes occasionally grant interpretative latitude and administrative discretion to the officials responsible for code enforcement. It is the policy of the City Council to encourage the continued use or reuse of existing buildings and structures throughout the City of Mattoon. The provisions of updated versions of national building, electrical and fire codes relating to the repair, alteration, restoration and change of occupancy shall not be mandatory for existing structures where such structures are judged to not constitute a distinct life safety hazard. Where the building code, electrical code, fire code and other development codes grant discretion and judgment in approving alternative materials, alternative structural or dimensional design features, alternative construction and/or operational features, officials responsible for code enforcement are directed to employ discretion and judgment in the most liberal manner possible provided public safety is not endangered thereby.
- (E) **Appeals.** A person, who perceives he has been adversely affected by determinations of the Electrical Inspector regarding imminent dangers, unsafe conditions, electrical system performance or compliance time may appeal to the Electrical Board. The Electrical Board may sustain, modify or reverse determinations of the Electrical Inspector pursuant to the foregoing policy and procedures provided at 80.15 (G) of this Article.

**B. 80.13 (13).** Whenever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the authority having jurisdiction shall be permitted to require that such work be exposed for inspection. The authority having jurisdiction shall be notified when the installation is ready for inspection and shall conduct the inspection within 2 business days.

**C. 80.15(A). Creation of the Electrical Board.** There is hereby created the Electrical Board of the City of Mattoon, hereinafter designated as the Board, consisting of ~~five~~ six (6) members, as follows: The Chief Electrical Inspector of the City in an advisory capacity; a registered professional engineer; an electrical contractor licensed within the City of Mattoon; Journeyman Wireman or equivalent as recognized by the Dept. Of Labor; current or acting Mattoon Fire Chief; and a representative of an electric supply utility serving the City of Mattoon.

**D. 80.15(C). Terms.** ~~Members shall be appointed by the Mayor, by and with the advice and consent of the Council. Øf the members first appointed, one shall be appointed for a term of 1 year, one for a term of 2 years, one for a term of 3 years, and two for a term of 4 years, and thereafter~~ Each appointment shall be for a term of 4 years or until a successor is appointed. The Chair of the Board shall be appointed for a term not to exceed 2 years.

**E. 80.15(D). Compensation.** Each appointed member of the Board shall serve without compensation. Subject to the prior approval of the Mayor, a member of the Board may be reimbursed for direct lodging, travel and meal expenses as covered by policies and procedures established by the City Council.

**F. 80.17 (F) (3).** When any portion of the electrical installation within the jurisdiction of an Electrical Inspector is to be hidden from view by the permanent placement of parts of the building, the person, firm, or corporation installing the equipment shall notify the Electrical Inspector, and such equipment shall not be concealed until it has been approved



by the Electrical Inspector or until 2 business days have elapsed from the time of such notification, provided that on large installations, where the concealment of equipment proceeds continuously, the person, firm, or corporation installing the equipment shall give the Electrical Inspector due notice in advance, and inspections shall be made periodically during the progress of the work.

**G. 80.19(E). Fees.** An applicant for an electrical permit shall pay fees before the permit is issued. The schedule of fees shall be found in section "35.01 (E) 2 Exhibit A" and is attached hereto for reference.

**H. 80.21. Plans Review.** Review of plans and specifications shall conform to 80.21(A) through (C), and (1) through (2).

- (1) All "commercial installations" or above as determined by Section 334.10 of this ordinance shall be required to submit comprehensive electrical plans. These plans must include panel schedules and load calculations to determine service sizing. except that one and two family residential structures, where the connected load does not exceed 400 amperes shall be exempt from requirements for plan review or submission of load calculations.
- (2) All "residential installations" as determined by section 334.10 of this ordinance which planned service size exceeds 400 Amperes shall be held to the same standards as (1) above.

**I. 80.23 Penalties.** Any person who fails to comply with the provisions of this Code or who fails to carry out an order made pursuant to this Code or violates any condition attached to a permit, approval or certificate shall be subject to penalties established at §10.99 of the City of Mattoon Code of Ordinances.

**J. 80.25(C). Notification.** If, within 2 business days, after the Electrical Inspector is notified of the completion of an installation of electric equipment, other than a temporary approval installation, the Electrical Inspector has neither authorized connection nor disapproved the installation, the supplier of electricity is authorized to make connections and supply electricity to such installation.

**K. 80.27 Appointment, Qualifications and Experience of Electrical Inspector.**

(A) **Appointment.** The Public Works Director with the advice of the Electrical Board and consent of the City Council shall appoint the Electrical Inspector and an Interim Electrical Inspector, who serves in the absence of the Electrical Inspector. The Public Works Director and the Electrical Board evaluate the performance of the Electrical Inspectors. A person appointed to an Electrical Inspector position shall be nominated solely on the basis of his or her qualifications and experience consistent with a job description adopted by the City Council.

(B) **Experience.** A person appointed to an electrical inspector position must demonstrate the following experience:

- (1) Have a demonstrated knowledge of the standard materials and methods used in the installation of electric equipment.
- (2) Be well versed in the approved methods of construction for safety to persons and property.
- (3) Have a demonstrated knowledge of the statutes of the Illinois relating to electrical work and the National Electrical Code.
- (4) Have had at least 3 years' experience as an Electrical Inspector or 5 years in the installation of electrical equipment. In lieu of such experience, the applicant shall be a graduate in electrical engineering or of a similar curriculum of a college or university considered by the Board as having suitable requirements for graduation and shall have had two years' practical electrical experience.

(C) **Certificate.** A nationally recognized inspector certification program accepted by the Board shall certify the Electrical Inspector within 6 months of appointment. The certification program shall specifically qualify the inspector in electrical inspections. No person shall be employed as an Electrical Inspector unless that person is the holder of an Electrical Inspector's certificate of qualification issued by the Board. A person appointed on an interim basis during the absence of the Electrical Inspector or the person serving as the Electrical Inspector on the date this ordinance goes into effect shall be issued a special certificate permitting him or her to continue to serve as the Electrical Inspector in the City of Mattoon.

(D) **Recertification.** Electrical inspectors shall be recertified as established by the provisions of the applicable certification program.

(E) **Revocation and Suspension of Authority.** The Public Works Director with the consent of the Electrical Board shall have the authority to revoke an inspector's authority to conduct inspections within the City of Mattoon.

**L. 80.29. Liability for Damages.** Article 80 shall not be construed to affect the responsibility or liability of any party owning, designing, operating, controlling or installing any electric equipment for damages to persons or property caused by a defect therein, nor shall the City of Mattoon or any of its officers or employees be held as assuming any such liability by reason of the inspection, re-inspection or other examination authorized.

**M. 80.35. Effective Date.** Article 80 shall take effect 30 days after its passage and publication.

**Section 5. Certificate of Registration.** It shall be unlawful for any person to engage in the business of "Electrical Contractor" or "Electrical Serviceperson", as herein defined, in Mattoon, Illinois, without a Certificate of Registration from the Electrical Board which may be obtained in the manner as hereinafter set forth. No person, firm or corporation shall engage in business as an Electrical Contractor or an Electrical Serviceperson unless it's supervising official shall be registered as herein above required. An Electrical Contractor or Electrical Serviceperson who has furnished proof of having paid a registration fee in any city or village within the State of Illinois having at least the minimum requirements including a comparable examination showing knowledge for qualification as required herein, must be registered, but shall not be required to pay a registration fee for such year in Mattoon, Illinois.

**A. Definitions.** Unless otherwise expressly stated the following words and terms shall, for the purposes of this code, have the following meanings:

**Direct light.** Light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminary.

**Electrical Contractor.** Any person engaged in the business of installing, altering, erecting, repairing, or contracting to install, alter, erect or repair electrical equipment or wiring to supply light, heat or power, not including radio apparatus or equipment for wireless reception of sound or signals, and not including apparatus, conductors and other equipment installed for or by public utilities, including common carriers that are under the jurisdiction of the Illinois Commerce Commission, for use in their operations as public utilities. The term "Electrical Contractor" includes any person who supervises and is responsible for the electrical business. It does not include employees employed by such contractors. Nothing in this section shall preclude the principal owner of a single family residence from installing and erecting electrical equipment and wiring to supply light, heat and power in his personal place of residence.

**Electrical Board.** An examination and registration authority of the City of Mattoon, created and established by Article 80.15 of the NEC® as supplemented by Section 3 of this ordinance.

**Electrical Serviceperson.** A person authorized by registration to perform or supervise limited installation, alteration or repair of electrical equipment or wiring for laundry washing and drying appliances, dishwashing appliances, refrigerators, freezers, ranges, furnaces, garbage and trash compacting appliances, garage door openers, air conditioning units, sump pumps, security, alarm and telecommunication systems. A registered electrical contractor shall be required when appliances require additional load capacity or new circuits.

**Fixture.** The assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

**Flood or spotlight.** Any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction.

**Fully-shielded (full-cutoff) light.** Outdoor light fixtures shielded or constructed so that no light rays are emitted by the installed fixture at angles above the horizontal plane as certified by a photometric test report.

**Glare.** means light emitting from a luminary with an intensity great enough to reduce a viewer's ability to see, and in extreme cases causing momentary blindness.

**Grandfathered luminaries.** Luminaries not conforming to this chapter that were in place at the time this chapter was voted into effect. When an ordinance "grandfathers" a luminary, it means that such already existing outdoor lighting does not need to be changed.

**Height of luminary.** The height of a luminary shall be the vertical distance from the ground directly below the centerline of the luminary to the lowest direct-light-emitting part of the luminary.

**Indirect light.** Direct light that has been reflected or has scattered off of other surfaces.

**Lamp.** The component of a luminary that produces the actual light.

**Light trespass.** means the shining of light produced by a luminary beyond the boundaries of the property on which it is located.

**Luminary.** This is a complete lighting system, and includes a lamp or lamps and a fixture.

**Mounting height.** Includes the total height of any proposed base combined with the height of the light pole and fixture.

**Outdoor lighting.** The nighttime illumination of an outside area or object by any man-made device located outdoors that produces light by any means.

**Temporary outdoor lighting.** The specific illumination of an outside area or object by any man-made device located outdoors that produces light by any means for a period of less than seven days, with at least one hundred eighty (180) days passing before being used again.

- B. Examination and Registration Duties of the Electrical Board.** The Electrical Board is charged with the duty of examining and providing Certificates of Registration of persons applying to engage in the business of "Electrical Contractor" or "Electrical Serviceperson", as herein defined, in Mattoon, Illinois. The Electrical Board shall meet at regular times at an established place not less than two (2) times a year, and more often as circumstances may require. Special meetings may be called by the Chair, or by any three members of the Board. The Electrical Board shall establish its own rules, not inconsistent with the provisions of this Ordinance, which shall be in printed form. Forty-eight (48) hour advance notice shall be given to all members before a special meeting. A majority shall constitute a quorum, and a majority of members present and voting shall be required to pass any proposition.
- C. Application for a Certificate of Registration; Fee.** Any person desiring to engage in the business of Electrical Contractor or Electrical Serviceperson in the City of Mattoon shall make a written application for a certificate of registration on forms provided by the Electrical Board. The application must contain a resume documenting the applicant's work experience for the last five years, names, addresses and phone numbers of employers, their business, work performed and supervisors' names. The application must contain a notarized affidavit statement indicating that the applicant has been doing electrical work (both installation and maintenance) for at least four (4) years. Said application shall be filed with the City Clerk together with the sum of one hundred dollars (\$100.00) for Electrical Contractor Registration ~~or fifty dollars (\$50.00) for Electrical Serviceperson Registration.~~ If the applicant thereafter is issued a Certificate of Registration, the fee paid shall be for the current year, and the Certificate shall expire December 31st of each year. If an applicant is denied a certificate of registration, the fee shall be retained for the time and expense of reviewing the application and conducting the examination.
- D. Examination.** Before a Certificate of Registration shall be issued to an applicant by the Electrical Board, the applicant shall, following reasonable advance notice, present himself or herself for examination as instructed by the Electrical Board at a time and place set by it. The Electrical Board shall examine such applicant as to his/her practical knowledge of the installation and alteration of electrical equipment as set forth in the rules and regulations of City's Electrical Code. Such examination shall be in whole or in part in writing and shall be of practical character, but sufficiently strict to thoroughly test the experience and qualifications of the applicant. The applicant must receive a favorable evaluation from the Electrical Board before he or she may receive a Certificate of Registration. If the applicant fails the first test, he or she must wait 30 days before repeating the examination. If the applicant fails the second test, he or she must wait 60 days before repeating the examination.
- E. Bond and Liability Insurance Requirements.** The Electrical Board shall issue a Certificate of Registration as an Electrical Contractor or as an Electrical Serviceman to any person who shall have filed a proper application, paid the required fee, satisfactorily passed the examination, filed proof of bonding and liability insurance. The bond shall be ~~fifty~~ ten thousand dollars (\$~~5~~10,000), issued by a bonding company authorized to do business in Illinois that will indemnify and save harmless the City of Mattoon from all liability arising out of any work done under or by virtue of any permit that may be issued to the registrant by the City. A Certificate of Insurance shall be provided giving evidence that the registrant has

insurance coverage in limits not less than \$1 million per occurrence, covering both personal injury, death and property damage exposures.

- F. Registration Fee; Duration.** The fee for registration as an Electrical Contractor shall be one hundred dollars (\$100) per annum, or equivalent fee for registration as an Electrical Contractor in the Illinois city or village, where the contractor maintains a business address, whichever is greater, and shall permit an Electrical Contractor to do all phases of electrical wiring within the City of Mattoon. ~~The fee for registration as an Electrical Serviceperson shall be fifty dollars (\$50) per annum and shall permit him or her to do only such wiring as is stated on his Registration Certificate.~~ The registration fee shall be paid to the Finance Department and deposited in the city' treasury, in advance, with the application. The Certificate of Registration issued shall expire on the 31st day of December of the year in which it is issued; provided that any business manager, building or plant engineer or electrician who shall engage in electrical installation work or repairs solely upon the premises of his employer shall secure a Certificate of Registration without charge, which Certificate shall, however, be confined to the premises of his employment and shall not permit engaging in such work in any place other than upon such premises. Electrical Contractors ~~and Electrical Servicemen~~ shall be issued a new Certificate of Registration for the ensuing year provided that they have paid the required fee not later than March 31st of the ensuing year; they had been issued valid Certificate of Registration for the previous calendar year and submit evidence of bonding and insurance. All other applicants shall be examined as provided in Paragraph D hereof.
- G. Certificate of Registration Not Transferable or Assignable.** A Certificate of Registration issued by the Electrical Board shall not be transferable or assignable.
- H. Suspension or Revocation.** A Certificate of Registration may, after hearing, be suspended or revoked by the City Council upon the recommendation of the Electrical Board for failure or refusal to comply with this Ordinance or with the City's Electrical Code.

**Section 6. Penalties.** Any person, firm, or corporation that shall engage in the business of Electrical Contractor ~~or Electrical Serviceperson~~ without obtaining a Certificate of Registration as herein provided, or fails to comply with the provisions of this ordinance, or fails to carry out an order made pursuant to this ordinance, or violates any condition attached to a permit or approval or certificate shall be subject to penalties established at §10.99 of the City of Mattoon Code of Ordinances.

**Section 7.** Ordinance No. 99-5001 of the City of Mattoon entitled "AN ORDINANCE REGULATING THE INSTALLATION OF ALL ELECTRICAL WORK IN THE CITY OF MATTOON, ILLINOIS AND PROVIDING FOR THE REGISTRATION AND LICENSING OF ELECTRICAL CONTRACTORS" and all other ordinances or parts of ordinance in conflict herewith are hereby repealed.

**Section 8.** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clause and phrases may be declared unconstitutional.

**Section 9.** The City Clerk is hereby directed to cause this ordinance to be published in pamphlet form, to mail it to all electrical contractors and servicemen presently registered by the City of Mattoon and to make it available for public inspection in the Mattoon Public Library and at the Office of the City Clerk.

**Section 10.** This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 30 days after its publication in pamphlet form as herein provided.

Upon motion by Mayor Cline, seconded by Commissioner Hall, adopted this 6th day of April, 2010, by a roll call vote, as follows:

|                 |  |
|-----------------|--|
| AYES (Names):   | <u>Commissioner Ervin, Commissioner Gover,</u><br><u>Commissioner Hall, Commissioner Rankin,</u><br><u>Mayor Cline</u> |
| NAYS (Names):   | <u>None</u>  |
| ABSENT (Names): | <u>None</u>  |

Approved this 6<sup>th</sup> day of April, 2010

/s/ David W. Cline  
David Cline, Mayor

ATTEST:

APPROVED AS TO FORM

/s/ Susan J. O'Brien  
Susan O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 7, 2010.

**Exhibit A**  
**35.01 (E) 2**

**SCHEDULE OF ELECTRICAL PERMIT FEES**

1. Fees for branch circuits shall not exceed the cost of new service fees for the locations at the rate of \$22.50 per circuit.
2. **For temporary electrical services, \$25.00 residential, \$50.00 commercial**
3. **For extending or otherwise altering a circuit, \$10.00**
4. **For hooking up a manufactured home or mobile home, \$50.00**
5. **For work commencing before permit issuance except for emergency situations, Standard permit fee doubles**
6. **For existing services, or residential rated electrical services as defined by C. 334.10 of the City of Mattoon Electrical Code:**

**Service Ampere Rating**

**Fee**

|                      |           |
|----------------------|-----------|
| 100 ampere service   | \$50.00   |
| 200 ampere service   | \$80.00   |
| 400 ampere service   | \$200.00  |
| 600 ampere service   | \$300.00  |
| 800 ampere service   | \$400.00  |
| 1,000 ampere service | \$500.00  |
| 1,200 ampere service | \$600.00  |
| 1,600 ampere service | \$800.00  |
| 2,000 ampere service | \$1000.00 |
| 2,500 ampere service | \$1250.00 |
| 3,000 ampere service | \$1500.00 |
| 4,000 ampere service | \$2000.00 |
| 5,000 ampere service | \$2500.00 |
| 6,000 ampere service | \$3000.00 |

**7. For branch service from existing panels:**

|                   |          |
|-------------------|----------|
| 60 ampere or less | \$30.00  |
| 100 ampere        | \$40.00  |
| 200 ampere        | \$80.00  |
| 400 ampere        | \$100.00 |
| 600 ampere        | \$150.00 |
| 800 ampere        | \$300.00 |
| 1,000 ampere      | \$400.00 |

8. For service ratings other than those appearing above, the fee shall be that of the next largest size. All services larger than 6,000 amps shall be computed at the rate of Ten Dollars (\$10.00) per kW.

9. For new “commercial construction” or above as defined by C. 334.10 (1) of the City of Mattoon Electrical Code, the fee will be calculated at \$1.00 per amp. Services over 6000 amps shall be calculated per item 8.
10. The foregoing fees shall cover all wiring complete with fixtures, devices and all associated equipment installed by the permit holder for the wiring of the building, structure or premises except subsequently stand-by emergency generators, which require a separate permit.
11. For subsequently installed stand-by generators up to 50kW the fee shall be \$100.00. This fee shall cover all wiring and equipment required for the stand-by generator. For generators larger than 50kW the fee will be calculated at .50 cents per kW.
12. When additional inspections are necessary, to remedy a reoccurring deficiency or error, due to inaccurate or incorrect information, failure to make necessary repairs, or faulty installations, a charge of \$75.00 per hour shall be made for each such inspection.
13. All fees shall be made payable to the “City of Mattoon” and deposited with the Finance Department before a permit shall be issued.

Mayor Cline opened the floor for comments or questions from the Council and Public with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Ervin moved to adopt Ordinance 2010-5294, regulating private medical transportation within the City of Mattoon.

Mayor Cline opened the floor for comments or questions from the Council with no responders. Mr. Dan Krchak of Thomas, Mamer & Haughey, LLP, representative of Mitchell-Jerdan, requested an amendment to the ordinance to include the transfer or sale of the current owners to their spouse, children and children’s spouses. Council and Administrator McLaughlin discussed the request.

Commissioner Hall seconded by Commissioner Gover moved to amend Ordinance 2010-5294 Section 4 to include “excluding transfers or sales to immediate family members of owners of existing services. Immediately family is defined as spouse or children of owner(s) and their spouses”.

Mayor Cline opened the floor for comments with no responders.

Mayor Cline declared the motion to amend Ordinance 2010-5294 carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Ervin moved to adopt Ordinance 2010-5294 as amended.

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## **CITY OF MATTOON, ILLINOIS**

### **ORDINANCE NO. 2010-5294**

#### **AN ORDINANCE CONTROLLING PRIVATE MEDICAL TRANSPORTATION**

**WHEREAS**, the City of Mattoon currently has private ambulance services operating within the City; and,

**WHEREAS**, the Illinois Statutes (at 65 ILCS 5/11-5-7) specifically give Illinois corporate authorities the authority to regulate, license and establish standards for the operation of ambulances with the corporate limits; and,

**WHEREAS**, for the safety of the residents, the efficient operation of the ambulance services and the integration of all emergency services within the City, it is in the best interest of the City of Mattoon to regulate ambulance services not owned by the City of Mattoon; and,

**WHEREAS**, the City wishes to regulate the private ambulance services within the City.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Mattoon as follows:

**Section 1. Recitals.** The facts and statements contained in the preamble to this Ordinance are found to be true and correct and are hereby adopted as part of this Ordinance.

**Section 2. Enactment.** Chapter 34 of the Code of Ordinances of the City of Mattoon is hereby enacted as follows:

### **PRIVATE AMBULANCE SERVICE REGULATIONS**

**§34.56 DEFINITIONS:** As used in this chapter, unless the context otherwise requires, the terms specified in this article shall have the meanings ascribed to them in this article.

**AMBULANCE:** Any publicly or privately owned vehicle that is specifically designed, constructed or modified and equipped, and is intended to be used for, and is maintained or operated for the emergency transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless.

**AMBULANCE SERVICE:** The operation of an enterprise which has one of its purposes the operation, or use on the streets, alleys, or any public way within the City of an ambulance which responds to emergency calls for the transportation of persons who are reported to be sick, injured, wounded, otherwise incapacitated or helpless.

**AMBULANCE SERVICE LOCATION:** The location at which ambulances are stored, maintained or from which ambulances are dispatched by an ambulance service.

**CHANGE IN AMBULANCE:** A change by either adding or removing from service an ambulance from the list of those previously approved by the Fire Chief.

**FIRE DEPARTMENT:** The Fire Department of the City of Mattoon

**MATTOON FIRE DEPARTMENT STANDARDS:** The written standards as promulgated by the Mattoon Fire Chief.

**POLICE DEPARTMENT:** The Police Department of the City of Mattoon.

### **§34.57 LICENSE REQUIRED**

No person, whether acting as owner, principal, officer, agent, employee, lessee or licensee, shall furnish, operate, control, conduct, advertise or otherwise engage in ambulance service in the City without a current ambulance service license issued pursuant to this Chapter or in violation of the terms and/or conditions of a license issued under this Chapter.

### **§34.58 APPLICATION REQUIREMENTS**

All applications for an ambulance service license shall be filed with the City Clerk on a form prescribed and furnished by the City. The following minimum information shall be required on the application prior to the issuance of a license:

- A. The applicant shall provide the name and address of the applicant and the owner of all ambulances;
- B. The applicant shall provide all names under which the applicant plans to conduct business;
- C. The applicant shall provide records showing the training and experience of the applicant and that its employees are properly licensed by the State of Illinois;
- D. The applicant shall provide a description of each ambulance to include:
  - (1) Make;
  - (2) Model;
  - (3) Year of manufacture;
  - (4) Motor and chassis number;
  - (5) Current state license number;
  - (6) Length of time ambulance has been in use;
  - (7) Color scheme;

- (8) Insignia;
- (9) Name, monogram or other distinguishing features.

E. The applicant shall provide the ambulance service locations of any facilities which the applicant intends to use as part of its business operation;

F. The applicant must show proof of meeting the insurance requirements as set forth in Section 10.

G. The applicant must provide copies of all licenses/certifications required by the State of Illinois to operate an ambulance service;

H. The applicant must have sufficient equipment to provide a minimum of two ambulances in good operating condition 24 hours per day seven days per week

I. The applicant shall provide such other information that may be requested by the City.

J. The applicant shall pay a one time application fee of \$125.00

K. At any time a change in the officers of the corporation which is a licensee under this division shall be made, such change of officers shall be reported to the City of Mattoon within five days after such change. Any change in the ownership of a licensee shall be reported to the City at least 30 days prior to the change. The City shall deny the ownership change if the proposed owners do not meet the provisions of this Section, the provisions of any Ordinance of the City, State, or Federal Law. A change in ownership shall mean the transfer of all or any part of an interest in a sole proprietorship or partnership or the transfer of more than five percent of the stock of a private corporation or twenty-five percent of the stock of a public corporation.

L. Each license shall be subject to renewal every April 30<sup>th</sup> by the City with a fee of \$75.00. The suspension or revocation of the license shall only be made in accordance with the general provisions of Section 34.63 of this Chapter.

#### **§34.59 OPERATIONAL RULES AND REGULATIONS**

A. The following operational rules and regulations shall apply to all licensees:

- (1) All ambulance services are required to work within the Sarah Bush Lincoln Health Center system and follow the protocols and rules of that system
- (2) All ambulances licensed to operate within the City of Mattoon shall be equipped with radios that have ALL MABAS Channel in the units and IFERN1, IFERN2, and Interoperable Communications with other State and Local agencies.
- (3) All ambulances services must be accepted into the 911 rotation and follow the protocols and rules of Coles County 911.
- (4) No ambulance service may roll over more than 20% of 911 emergency calls assigned to them.
- (5) All ambulances services must provide a well educated, professional service that is neat in appearance and attitude.
- (6) All ambulances services must cooperate with all Emergency Agencies in the area
- (7) All ambulances services must maintain all equipment to Mattoon Fire Department standards
- (8) All ambulance services must notify 911 of the status and location of all vehicles at all times.
- (9) All ambulance services must notify Coles County 911 and Mattoon Fire Department when the service is down to one rig available to respond within the city limits of Mattoon.
- (10) While in the normal rotation within Coles County 911, all ambulance services within the City of Mattoon are required to have two Advanced Life Support (ALS) ambulances staffed at all times.
- (11) When in use for emergency calls, each ambulance shall have as personnel in the ambulance two (2) EMT-P's on all calls
- (12) An ambulance service licensed to operate within the city limits of the City of Mattoon must execute an Agreement for participation in the Mutual Aid Box Alarm System (MABAS), a copy of said Agreement being supplied to the Fire Chief.

B. Failure to comply with these rules and regulations shall be considered a violation of this section and shall be punishable under Section 34.63.

#### **§34.60 TRAINING REGULATIONS**



A. All ambulance personnel employed by a licensee shall have the following minimum training:

- (1) Hazardous Materials Operations
- (2) Technical Rescue Awareness
- (3) Emergency Response to Terrorism; Basic Concepts
- (4) National Incident Management System compliant with certificates in IS 100, 200 & 700
- (5) All supervisors must be National Incident Management System compliant with certificates in IS 300 & 400
- (6) Driver Training Certification (Fire Service Vehicle Operation or Emergency Operators course)
- (7) All EMS personal are required to have 12 hours annually of side by side training with the Mattoon Fire Dept.

B. All licensees must certify the training of their personnel annually when renewing their license. All licensees must maintain adequate documentation of the above required training. The Fire Chief or his designee, shall have the right to inspect the training records to ensure compliance with this section.

#### **§34.61 PROVISION OF SERVICES REGARDLESS OF ABILITY TO PAY OR LOCATION**

Each licensed ambulance service shall provide emergency service within the City without regard to a person's ability to pay for such service or the location of requested services.

#### **§34.62 IMMEDIATE EMERGENCY RESPONSE REQUIRED**

Each licensed ambulance service shall immediately respond to any emergency call for an ambulance directed to that ambulance service and originated by the Police or Fire Department or any such Department's official dispatching agency. If the licensed ambulance service is not able to immediately respond to the emergency or is not able to respond with an appropriate or requested level of service, the licensed ambulance service shall immediately report this situation to the agency and shall follow the directions of that agency regarding the response

#### **§34.63 REVOCATION OR SUSPENSION OF LICENSE, PENALTY FOR VIOLATION**

A. Whenever it shall appear to the City of Mattoon that any licensee under the provisions of this article has failed to comply and maintain compliance with, or has violated any applicable provisions or requirement of this article or of regulations promulgated hereunder, the City of Mattoon shall cause a written notice to be served upon the licensee in person or by certified mail. Such notice shall inform the licensee that they will be given a hearing before the City Administrator within 30 days thereof, but not earlier than ten days thereof, at such time and place as it may designate, at which the licensee may appear in person or by attorney to participate in a hearing concerning the alleged violation and possible penalties therefore. The City Administrator shall have the power and authority to suspend for not more than 30 days or revoke such license issued under this article, upon evidence of a violation presented at a public hearing as set forth in this section. Within three working days after such hearing, the City Administrator shall issue a written decision, which shall be promptly transmitted in writing to the licensee to whom it refers.

B. Upon suspension, revocation or termination of a vehicle licensed hereunder, operations as such shall cease with such vehicle, and no person shall permit continued operation of such vehicle. Upon suspension, revocation, or termination of an attendant-driver's license hereunder, such attendant or driver shall cease to drive or attend a vehicle and no person shall employ or permit such individual to drive or attend a vehicle. Any violation of this article or any other applicable provision of this article shall be punishable upon conviction as provided in Section 34.63 of this Chapter.

C. Any person violating or failing to comply with the provisions of this Section shall be fined not less than \$250.00, nor more than \$750.00 for each offense. Each day that any violation of, or failure to comply with this article is committed or permitted to continue shall constitute a separate and distinct offense.

#### **§34.64 FAILURE TO COOPERATE; FALSIFICATION**

A. Failure or refusal of an applicant or licensee to timely deliver any books, records or documents, or to give any information relevant to an inspection or investigation into an application, or his refusal to appear at any reasonable time and place for an inspection, shall constitute grounds for the denial or suspension/revocation of all licenses applied for or issued, as the case may be.

B. No licensee, his agent, officer or employee shall falsify any report required by this article or the rules promulgated by the director of health, or remove required equipment or supplies from one licensed vehicle which is on a ready-for-service basis to another vehicle for the purpose of having the latter pass a required inspection. Such actions shall constitute grounds for suspension or revocation of all licenses held by the licensee under this article.

#### **§34.65 INSURANCE POLICY PREREQUISITE TO ISSUANCE**

A. No license shall be issued under this division nor shall such license be valid after issuance, nor shall any vehicle be operated in the city unless there is at all times in force and effect insurance coverage, issued by an insurance company licensed to do business in the state, for each and every vehicle owned or operated by or for the applicant or licensee, providing for injury to or death of individuals in accidents resulting from any cause for which the owner of such vehicle would be liable on account of liability imposed on them by law, regardless of whether the vehicle was being driven by the owner or his agent, with minimum limits of \$1,000,000.00 for injury or death per occurrence, and against damages to any property of another, under like circumstances, with minimum limits of \$1,000,000.00 for property damage in any one accident.

B. Insurance policies required by subsection A. of this section shall be submitted to the City of Mattoon for approval prior to the issuance of each license. Satisfactory evidence that such insurance is at all times in force and effect shall be furnished to the City of Mattoon, in such form as he may specify, by all licensees required to provide such insurance under the provisions of this division.

C. Every insurance policy required under this section shall contain a provision for a continuing liability thereunder to the full amount thereof, notwithstanding any recovery thereon, that the liability of the insurer shall not be affected by the insolvency or the bankruptcy of the insured, and that until the policy is revoked, the insurance company will not be relieved from liability on account of non-payment of premium, failure to renew license at the end of the year, or any act or omission of the named assured.

D. Every insurance policy required under this section shall extend for the period to be covered by the license applied for and the insurer shall be obliged to give not less than ten days' written notice to the City of Mattoon and to the insured before any cancellation or termination of the policy earlier than its expiration date. The cancellation or other termination of any such policy shall automatically revoke and terminate the licenses issued for the vehicles covered by such policy, unless another insurance policy complying with the provisions of this section shall be provided and be in effect at the time of such cancellation or termination.

#### **§34.66 APPROVAL OF NEW AMBULANCE**

Any licensee may request to place a new ambulance in service. Prior to placing the ambulance in service, a request shall be submitted to the Fire Chief requesting permission to place the ambulance in service. The Fire Chief shall provide the form necessary for the request. If the new vehicle is replacing an existing vehicle, then the request shall show that the vehicle previously used has become obsolete or has been destroyed, sold or traded, and that such vehicle is no longer to be used for the purpose contemplated by this division. The vehicle to be placed in service shall conform with all the requirements of this article as upon original licensing.

#### **§34.67 MAINTENANCE AND CONTENTS OF RECORDS, RIGHT TO INSPECT OPERATIONAL LOCATIONS AND AMBULANCES**

A. Each ambulance company that receives licensee shall maintain accurate records for all calls received through the central medical emergency dispatch system. Such records shall include calls for service received from within the city, the number of canceled calls, the identification number of the ambulance and names of the attendants responding and the response time from when the call is received by the permit tee until the arrival at the scene, as well as the time of departure from the scene and arrival at a hospital or other destination, and whether or not emergency warning devices were used. Records shall also be maintained concerning the availability for each ambulance for service.

B. The City of Mattoon shall have the right to inspect at any time during normal business hours records of a ambulance company which relate to the operation of the company within the city or a fire protection district serviced by the Mattoon Fire Department however, that the Fire Chief shall not be allowed to inspect those portion of records which are prohibited from inspection by Federal or State law. Should the ambulance service refuse to allow inspection of a portion of a record due to a Federal or State law, the Fire Chief may require that the ambulance service specify the particular law which restricts inspection and shall be allowed to inspect those portions of the records that are not prohibited by law from disclosure.

C. The Fire Chief shall have the right to inspect all operational locations and ambulances proposed to be used or used by a licensed ambulance service at any reasonable time.

#### **§34.68 OBEDIENCE TO TRAFFIC LAWS; EXCEPTION**

A. No person shall operate an ambulance in a manner not conforming to the provisions of the motor vehicle laws and regulations of the State of Illinois or of the City as such provisions apply to motor vehicles in general, except as hereinafter set forth; and, unless the person operating the ambulance shall be either responding to a bona fide emergency call or specifically directed by a licensed physician to disregard traffic laws in operating the ambulance during and for the purpose of a specific trip or journey that is involved.

B. Subject to the provisions of subsection (a) above the driver of an ambulance may:

- (1) Park or stand, irrespective of the otherwise applicable provisions of law, ordinance, or regulation;
- (2) Proceeds past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- (3) Exceed the maximum speed limits permitted by law, ordinance, or regulation so long as he does not endanger life or property; and
- (4) Disregard laws, ordinances, or regulations governing direction or movement or turning in specified directions.

C. The exemptions herein granted shall apply only when such ambulance is making use of audible and visual signals meeting the requirements of law, ordinance, or regulation.

D. The foregoing provisions shall not relieve the driver of an ambulance from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

#### **§34.69 MONITORING EMERGENCY DISPATCH CALLS**

It shall be unlawful for any ambulance service to respond in or through the City to a call for an ambulance made by an organized Police or Fire Department or any such Department's official dispatching agency unless a specific request is directed to the ambulance service by the organized Police or Fire Department or any such Department's official dispatching agency.

**Section 3.** This ordinance shall be effective upon the day of its adoption and approval by the City Council. The Clerk is hereby directed to publish this Ordinance in pamphlet form.

**Section 4.** All ambulances services operating within the city limits of Mattoon and having a ambulance service location within the city limits of Mattoon (hereinafter existing services) as of the date of the passage of this ordinance are exempt from these regulations so long as their ownership does not change. Any change in ownership of the existing services after the approval of this ordinance will trigger the requirement of full compliance with all of these regulations, excluding transfers or sales to immediate family members of owners of existing services. Immediate family is defined as spouse or children of owner(s) and their spouses.

**Section 5.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Hall, seconded by Commissioner Ervin, adopted this 6<sup>th</sup> day of April, 2010 by a roll call vote, as follows:

|                 |  |
|-----------------|--|
| AYES (Names):   | <u>Commissioner Ervin, Commissioner Gover,</u><br><u>Commissioner Hall, Commissioner Rankin,</u><br><u>Mayor Cline</u> |
| NAYS (Names):   | <u>None</u>  |
| ABSENT (Names): | <u>None</u>  |

Approved this 6<sup>th</sup> day of April, 2010.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 7, 2010.

Mayor Cline opened the floor for comments with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Gover moved to adopt Ordinance 2010-5295, annexing Lot One (1) in Country Club Trace, a subdivision in Coles County, Illinois to the City of Mattoon. Eric L. & Juliette M. Haslett – Petitioners

Ordinance 2010-5295 died for lack of second.

Commissioner Gover moved to adopt Ordinance 2010-5296, annexing Lot Two (2) in Country Club Trace, a subdivision in Coles County, Illinois to the City of Mattoon. David W. & Vicki Cline – Petitioners

Ordinance 2010-5296 died for lack of second.

Mayor Cline moved to adopt Ordinance 2010-5297, annexing Lot Nine (9) in Rolling Green Subdivision, Phase 5, Coles County, Illinois to the City of Mattoon. Robert E. & Joy I. Koelling - Petitioners

Ordinance 2010-5297 died for lack of second.

Mayor Cline moved to adopt Ordinance 2010-5298, annexing Lot Eleven (11) in Rolling Green Subdivision, Phase 5, Coles County, Illinois to the City of Mattoon. Phillip M. & Jean A. Becker – Petitioners

Ordinance 2010-5298 died for lack of second.

Mayor Cline moved to adopt Ordinance 2010-5299, annexing Lot One (1) in Block 2 in Country Manor Subdivision, Lafayette Township, Coles County, Illinois to the City of Mattoon. Ryan R. & Victoria E. Molzen – Petitioners

Ordinance 2010-5299 died for lack of second.

Mayor Cline seconded by Commissioner Ervin moved to adopt Special Ordinance 2010-1384, approving the rezoning of 1600 Piatt Avenue; 1604 Piatt Avenue; 1612 Piatt Avenue; 817 N. 16<sup>th</sup> Street; Mattoon, Illinois from R-1 (Single Family Residence) to C-4 (General Commercial District). James A. & Shirley Campbell; Michael & Tammy Frost; and Amos Pedigo – Petitioners [Planning Commission – disapproved; ZBA – approved]

Mayor Cline opened the floor for comments or questions from the Council and Public. Administrator McLaughlin expressed concerns of the rezoning and lack of discussion by the Zoning Board of Appeals. Council and Coordinator Gill discussed the future of the properties. Mr. Jim Campbell proposed to upgrade the road.

Mayor Cline declared the motion denied by the following vote: NAY Commissioner Ervin, NAY Commissioner Gover, NAY Commissioner Hall, NAY Commissioner Rankin, NAY Mayor Cline.

Commissioner Rankin seconded by Commissioner Gover moved to adopt Special Ordinance 2010-1385, declaring two pavilions at Lake Paradise as surplus and no longer necessary for the use of the municipality; and authorizing the management staff to negotiate their removal by Wabash Fire District.

**CITY OF MATTOON, ILLINOIS  
SPECIAL ORDINANCE NO. 2010-1385**

**A SPECIAL ORDINANCE DECLARING TWO PAVILIONS AT LAKE PARADISE AS NO LONGER NECESSARY  
OR REQUIRED FOR USE OF THE MUNICIPALITY AND AUTHORIZING THE MANAGEMENT STAFF TO  
NEGOTIATE THEIR REMOVAL**

**WHEREAS**, the City of Mattoon has removed the restrooms and park areas at Lake Paradise; and

**WHEREAS**, the pavilions remain in an area that is no longer designed for their use; and

**WHEREAS**, the Wabash Fire Protection District has petitioned the City for permission to remove the east structure.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** Pursuant to procedures prescribed by state statute (65 ILCS 5/11-76-4.1), a finding is hereby made by the City Council that the pavilions at Lake Paradise are no longer necessary or required for the use of the municipality.

**Section 2.** The management staff of the municipality is hereby authorized to negotiate for the removal of said property.

**Section 3.** The city clerk is directed to publish a copy of this ordinance at the first opportunity following its adoption and approval by the City Council.

Upon motion by Commissioner Rankin, seconded by Commissioner Gover, adopted this 6<sup>th</sup> day of April call vote, as follows:

NAYS (Names):           Commissioner Ervin, Commissioner Gover,  
                                  Commissioner Hall, Commissioner Rankin,  
                                  Mayor Cline

AYES (Names):           None

ABSENT (Names):       None.

Approved this 6<sup>th</sup> day of April 2010.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 7, 2010.

Mayor Cline opened the floor for comments and questions from the Council and Public with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to adopt Special Ordinance 2010-1386, authorizing the sale of surplus real estate owned by the municipality adjacent to the Water Treatment Plant to Land Trust #2600-9381-323 on behalf of William Whitworth in the amount of \$35,212.50; and authorizing the Mayor and City Clerk to sign all documents necessary to execute the sale.

**AN ORDINANCE AUTHORIZING SALE OF SURPLUS REAL ESTATE OWNED BY THE MUNICIPALITY  
ADJACENT TO THE WATER TREATMENT PLANT**

**WHEREAS**, state statute (65 ILCS 5/11-76-4.1) enables the corporate authorities to accept any contract proposal determined by them to be in the best interest of the municipality by a vote of two-thirds of the corporate authorities then holding office, but in no event at a price less than 80% of the appraised value; and

**WHEREAS**, by Resolution 2010 - 2804, adopted March 2, 2010, the City Council made a finding that the real estate owned by the municipality that is the subject of this ordinance is no longer necessary or required for the use of the municipality; and

**WHEREAS**, Mr. William Whitworth on behalf of Land Trust #2600-9381-323 has made an offer to purchase the property for \$7,500 per acre for a total purchase price of \$35,212.50; and

**WHEREAS**, Land Trust #2600-9381-323 owns property adjacent to property being sold; and

**WHEREAS**, Stanley Gordon of Gordon Appraisal Service Inc. determined \$5,963.79 per acre or \$28,000.00 for the entire parcel was the fair market value of the real estate as of March 4, 2010.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** The City Attorney is authorized to prepare closing documents and the Mayor and City Clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 2 of this ordinance to Land Trust #2600-9381-323, subject to a payment of \$35,212.50. The purchase price will be due at closing. The City of Mattoon shall assume financial responsibility for the costs of a \$35,212.50 title insurance policy issued by Crites Title Company that will insure Buyer that the municipality has sufficient title to sell this real property;

**Section 2.** The real estate to be conveyed pursuant to this ordinance is legally described as:

A part of the Northeast Quarter of Section 8, Township 11 North, Range 7 East of the Third Principal Meridian more particularly described as follows:

Commencing at an iron pin marking the southeast corner of the Northeast Quarter of Section 8, Township 11 North, Range 7 East of the Third Principal Meridian (recorded as Monument Record Book 1, Page 77), Coles County, Illinois; thence azimuth 269 degrees 30 minutes 06 seconds (all azimuths are referenced to the Illinois State Plane Coordinate System East Zone Datum of 1983), along the south line of said Northeast Quarter, 854.01 feet to an iron pin; thence azimuth 00 degrees 46 minutes 21 seconds, 285.71 feet to an existing fence post being the Point of Beginning; thence continue azimuth 00 degrees 46 minutes 21 seconds, 821.74 feet to an iron pin with cap #3140; thence azimuth 89 degrees 36 minutes 37 seconds, 248.53 feet to an iron pin with cap #3140; thence azimuth 180 degrees 46 minutes 21 seconds, 824.40 feet to an iron pin with cap #3140; thence azimuth 270 degrees 13 minutes 26 seconds, 248.49 feet to the Point of Beginning, containing 4.695 acres, more or less, all situated in Paradise Township, Coles County, Illinois.

**Section 3.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 4.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Cline, seconded by Commissioner Ervin, adopted this 6<sup>th</sup> day of April, 2010, by a roll call vote, as follows:

AYES (Names):           Commissioner Ervin, Commissioner Gover,  
                                  Commissioner Hall, Commissioner Rankin,  
                                  Mayor Cline

NAYS (Names):           None

ABSENT (Names):       None

Approved this 6<sup>th</sup> day of April, 2010.

/s/ David W. Cline

David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:  
/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

APPROVED AS TO FORM:  
/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 7, 2010.

Mayor Cline opened the floor for comments or questions from the Council and Public with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Gover moved to adopt Resolution 2010-2807, opposing reduction of local government distributive fund (LGDF).

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**CITY OF MATTOON, ILLINOIS**

**RESOLUTION NO. 2010-2807**

**A RESOLUTION OPPOSING  
REDUCTION OF LOCAL GOVERNMENT DISTRIBUTIVE FUND**

**WHEREAS**, Illinois municipalities are currently experiencing a tremendous decline in revenues during this great recession; and

**WHEREAS**, municipalities are in fiscal turmoil and unable to provide vital services to citizens including police, fire, streets, sewers and water; and to fill the potholes left by winter; and

**WHEREAS**, Illinois taxpayers live in municipalities throughout the state and contribute income tax of which 90% goes to the state and 10% goes to municipal services; and

**WHEREAS**, Governor Quinn proposed in his March 10, 2010 budget address to withhold 30% of this shared revenue keeping \$300 million of that for the state budget; and

**WHEREAS**, this proposed withholding of municipal revenue will cost each municipality \$23.10 per resident, which could be used to provide services the local taxpayer needs; and

**WHEREAS**, this reduction compounds on the state's late payments of Local Government Distributive Fund amounts to municipalities by four months causing shortfalls in meeting municipal bills; and

**WHEREAS**, local taxpayers deserve to have these tax dollars returned to their communities to pay for local community employees, to provide local community services and to not see local tax increases;

**NOW THEREFORE BE IT RESOLVED BY THE CITY OF MATTOON, ILLINOIS, AS FOLLOWS:**

**SECTION 1:** The City of Mattoon, Illinois strongly opposes any reduction of the Local Government Distributive Fund due municipalities and demands the 10% be kept whole.

**SECTION 2:** The City of Mattoon, Illinois requests every Senator and Representative to reject this diminution of desperately needed revenue due municipalities.

**SECTION 3:** The City of Mattoon, Illinois will be financially impacted \$422,522.10 and will be forced to make local budget cuts and reductions of services.

**SECTION 4:** The Clerk is hereby directed to send copies of this Resolution to Governor Quinn, the legislative leaders of both chambers of the Illinois General Assembly and members representing this municipality.

Upon motion by Mayor Cline seconded by Commissioner Gover, adopted this 6<sup>th</sup> day of April, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,  
Commissioner Hall, Commissioner Rankin,  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 6<sup>th</sup> day of April, 2010.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 7, 2010.

Mayor Cline opened the floor for comments or questions from the council and Public with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Gover moved to adopt Resolution 2010-2808, accepting the bid from Gary Kuhns and Jason Taylor in the amount of \$404,190 for the purchase of a certain parcel of agricultural land located south of the City Water Treatment Plant, and authorizing the Mayor to sign all documents necessary to execute the sale. (former proposed public golf course area)

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**CITY OF MATTOON, ILLINOIS  
RESOLUTION NO. 2010-2808**

**A RESOLUTION APPROVING THE SALE OF A CERTAIN PARCEL OF AGRICULTURAL LAND LOCATED  
SOUTH OF THE CITY**

**WHEREAS**, in the 1960's the City of Mattoon purchased agricultural land south of the Water Treatment Plant at Lake Paradise; and,

**WHEREAS**, since the 1960's the City has not used this ground for anything other than agricultural purposes; and,

**WHEREAS**, by Resolution 2010 – 2804 passed on a March 2, 2010 the City Council declared this parcel as surplus and directed a public auction be held; and,

**WHEREAS**, on March 31, 2010 a public auction was held; and,

**WHEREAS**, the highest and best bid was submitted by Gary Kuhns & Jason Taylor in the amount of \$4,500.00 per acre for a total sale price of \$ 404,190; and,

**WHEREAS**, an appraisal has been performed by Stanley Gordon of Gordon Appraisal Service, Inc. and he has determined \$4,226 is his opinion of the fair market value of the real estate.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:



**Section 1.** The City Attorney is authorized to prepare closing documents and the Mayor and City Clerk are authorized to sign documents conveying a warranty deed to the real estate described in Section 2 of this ordinance to Gary Kuhns and Jason Taylor, subject to a payment of \$ 404,190, less normal and customary prorations and closing costs. The purchase price will be due at closing. The City of Mattoon shall assume financial responsibility for the costs of a \$404,190 title insurance policy issued by Crites Title Company that will insure Buyer that the municipality has sufficient title to sell this real property;

**Section 2.** The real estate to be conveyed pursuant to this ordinance is legally described as:

A part of Section 8 and a part of Section 9 all in Township 11 North, Range 7 East of the Third Principal Meridian more particularly described as follows:

Commencing at a PK nail marking the northeast corner of the Northwest Quarter of Section 9, Township 11 North, Range 7 East of the Third Principal Meridian (recorded as Monument Record Book 1, Page 282), Coles County, Illinois; thence azimuth 179 degrees 58 minutes 20 seconds (all azimuths are referenced to the Illinois State Plane Coordinate System East Zone Datum of 1983), along the east line of said Northwest Quarter, 975.37 feet to the Point of Beginning; thence continue azimuth 179 degrees 58 minutes 20 seconds, 883.16 feet along said east line to an iron pin with cap #3140; thence azimuth 270 degrees 00 minutes 12 seconds, 1998.96 feet to an iron pin with cap #3140; thence azimuth 180 degrees 02 minutes 12 seconds, 402.81 feet to an iron pin with cap #3140; thence azimuth 270 degrees 00 minutes 12 seconds, 146.25 feet to an iron pin with cap #3140; thence azimuth 180 degrees 42 minutes 32 seconds, 127.05 feet to an iron pin with cap #3140; thence azimuth 270 degrees 13 minutes 26 seconds, 1120.70 feet along the established line to an iron pin with cap #3140; thence azimuth 00 degrees 46 minutes 21 seconds, 824.40 feet to an iron pin with cap #3140; thence azimuth 01 degree 05 minutes 11 seconds, 163.53 feet to an iron pin with cap #3140 marking the southeast corner of Lot 99 of Lake Paradise Subdivision as recorded August 19, 2005 in Plat Book 5, Page 204, as Document Number 0683152 at the Coles County Clerk and Recorder's Office; thence azimuth 91 degrees 05 minutes 11 seconds, 30.00 feet to an iron pin with cap #3140 marking the southwest corner of Lot 98 of said Lake Paradise Subdivision; thence azimuth 85 degrees 40 minutes 01 second, 213.79 feet to an iron pin with cap #3140 marking the southeast corner of Lot 98 of said Lake Paradise Subdivision; thence azimuth 358 degrees 11 minutes 54 seconds, 20.34 feet to an iron pin with cap #3140 marking the southwest corner of Outlot 4 of said Lake Paradise Subdivision; thence azimuth 89 degrees 36 minutes 38 seconds, 346.23 feet to an iron pin with cap #3140 marking the southeast corner of Outlot 4 of said Lake Paradise Subdivision; thence azimuth 00 degrees 03 minutes 30 seconds, 535.18 feet along the east line of said Outlot 4 to an iron pin with cap #3140 in the south line of Lot 81 of said Lake Paradise Subdivision; thence azimuth 82 degrees 35 minutes 25 seconds, 55.37 feet to an iron pin with cap #3140 marking the southeast corner of Lot 81 of said Lake Paradise Subdivision; thence azimuth 354 degrees 44 minutes 43 seconds, 308.77 feet along the east line of said Lot 81 to an iron pin with cap #3140 in the southerly right-of-way line of East Lake Paradise Road; thence easterly 105.62 feet along said southerly right-of-way line being a nontangential curve to the right, having a radius of 370.00 feet, chord azimuth 82 degrees 11 minutes 43 seconds, 105.26 feet to an iron pin with cap #3140; thence easterly 275.28 feet along said southerly right-of-way line being a tangential curve to the left, having a radius of 1430.00 feet, chord azimuth 84 degrees 51 minutes 29 seconds, 274.86 feet to an iron pin with cap #3140 in the west line of Lot 80 of said Lake Paradise Subdivision; thence azimuth 179 degrees 03 minutes 40 seconds, 50.00 feet along said west line to an iron pin with cap #3140 marking the southwest corner of said Lot 80; thence azimuth 97 degrees 45 minutes 29 seconds, 130.51 feet along the south line of said Lot 80 to an iron pin with cap #3140; thence azimuth 88 degrees 06 minutes 18 seconds, 153.00 feet to an iron pin with cap #3140 marking the southeast corner of Lot 79 of said Lake Paradise Subdivision; thence azimuth 80 degrees 21 minutes 24 seconds, 216.00 feet to an iron pin with cap #3140 marking the southeast corner of Lot 76 of said Lake Paradise Subdivision; thence azimuth 89 degrees 02 minutes 04 seconds, 431.33 feet to an iron pin with cap #3140 marking the southeast corner of Lot 73 of said Lake Paradise Subdivision; thence azimuth 180 degrees 00 minutes 53 seconds, 493.09 feet to an iron pin with cap #3140; thence azimuth 88 degrees 49 minutes 44 seconds, 923.65 feet to an iron pin with cap #3140; thence azimuth 91 degrees 49 minutes 15 seconds,

408.74 feet to the Point of Beginning, containing 89.820 acres, more or less, all situated in Paradise Township, Coles County, Illinois.

**Section 3.** This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

**Section 4.** This ordinance shall be effective upon its approval as provided by law.

Upon motion by Mayor Cline, seconded by Commissioner Gover, adopted this 6<sup>th</sup> day of April, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Gover,  
Commissioner Hall, Commissioner Rankin,  
Mayor Cline

NAYS (Names): None

ABSENT (Names): None

Approved this 6<sup>th</sup> day of April, 2010.

/s/ David W. Cline  
David W. Cline, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien  
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on April 7, 2010.

Mayor Cline opened the floor for comments or questions from the Council and Public with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2010-1069, awarding the 2010 Water Treatment Plant chemical bids as shown:

|                    |                     |              |
|--------------------|---------------------|--------------|
| General Chemical   | Alum                | \$36,352.00; |
| Ethanol Products   | CO2                 | \$9,200.00;  |
| Hawkins Chemical   | Carbon              | \$24,988.00; |
| SNF Polydyne, Inc. | Polymer             | \$18,200.00; |
| Brenntag           | Chlorine            | \$5,655.00;  |
| Alexander Chemical | Fluoride            | \$4,899.00;  |
| GAC Chemical Corp. | Ammonia             | \$16,000.00; |
| Shannon Chemical   | Polyphosphate blend | \$16,525.00. |

Commissioner Rankin seconded by Commissioner Ervin moved to amend the 2010 Water Treatment Plant chemical bid for Fluoride to Hawkins Chemical in the amount of \$12,900.

Mayor Cline declared the motion to amend the 2010 Water Treatment Plant chemical bid for Fluoride to Hawkins Chemical in the amount of \$12,900 carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Rankin seconded by Commissioner Hall moved to approve the amended CDR 2010-1069 awarding the 2010 Water Treatment Plant chemical bids as amended:

|                    |                     |              |
|--------------------|---------------------|--------------|
| General Chemical   | Alum                | \$36,352.00; |
| Ethanol Products   | CO2                 | \$9,200.00;  |
| Hawkins Chemical   | Carbon              | \$18,200.00; |
| Brenntag           | Chlorine            | \$5,655.00;  |
| Hawkins Chemical   | Fluoride            | \$12,900.00; |
| GAC Chemical Corp. | Ammonia             | \$16,000.00; |
| Shannon Chemical   | Polyphosphate blend | \$16,525.00. |

Mayor Cline declared the motion to approve CDR 2010-1069 as amended carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Hall seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1070, authorizing the Mattoon Fire Department to upgrade their level of Emergency Medical Care to Advanced Life Support (ALS). This change will take affect pending the completion of the proper paperwork and inspections.

Mayor Cline opened the floor for comments or questions from the Council and Public. Mr. Dave Krchak reviewed the background of the City's ambulance purchase two years ago, and insisted the City's ambulance would be in competition with Mitchell-Jerdan. Mr. Fred Reynolds stated the City was not previously reducing personnel, and voiced his opinion in favor of the City's ambulance service. Mr. Michael Smith, Mr. Robby Ashley, Mr. Dustin Rhoads, Ms. Casey Schmidt voiced their opinions against the Fire Department's ALS, stating private service personnel would be reduced.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Ervin seconded by Commissioner Rankin moved to approve Council Decision Request 2010-1071, authorizing the promotion of Tim Daily to the Public Works Superintendent position effective upon the retirement of Chris Hartbank.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Rankin seconded by Commissioner Hall moved to approve Council Decision Request 2010-1072, authorizing the promotion of David Basham to the Water Treatment Plant Superintendent position effective upon the retirement of Jim Lang.

Mayor Cline opened the floor for comments or questions from the Council and Public with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1073, authorizing the promotion of Glen Sloan to the Waste Water Treatment Plant Superintendent position effective upon the retirement of Rick Pinnell.

Mayor Cline opened the floor for comments or questions from the Council and Public with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Mayor Cline seconded by Commissioner Ervin moved to recess to closed session at 7:28 p.m. pursuant to the Illinois Open Meetings Act the purpose of considering collective negotiating matters (5 ILCS 120(2)(c)(2)).

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

Council reconvened at 7:40 p.m.

Commissioner Hall seconded by Commissioner Gover moved to adjourned at 7:40 p.m.

Mayor Cline opened the floor for comments with no responders.

Mayor Cline declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Gover, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Mayor Cline.

/s/ Susan J. O'Brien  
City Clerk